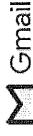
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Sarah LaTourette Kayser < latoursm@gmail.com>

ALEC Digital Exchange: Stop Harmful Federal Programs, Right to Work, Sunshine Week

1 message

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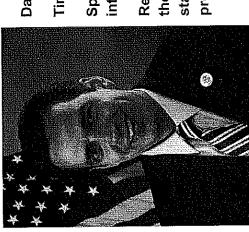


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Thu, Mar 17, 2016 at 1:19 PM

Digital Exchange

Conference Call: Power of the Purse: How States Can Use the Appropriations Process to Stop Harmful Federal Programs



Date: TOMORROW, Friday, March 18

Time: 2:00-2:30 PM ET

Speaker; Representative Tom Graves (GA-14) with an introduction by Representative Gary Palmer (AL-6)

Representative Graves, an ALEC alum and Member of the House Committee on Appropriations, will speak to state leaders about how states can stop harmful federal programs through the appropriations process.

RSVP Here

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#ALEC alumni @RepTomPrice & @cathymemorris move to save billions in unauthorized spending.
https://t.co/tkEw7MfUP #SunshineWeek #ALECIdeas







More transparent, accountable govt respects hardworking taxpayers & #CriminalJusticeReform

https://t.co/VsOpZ1A9c8 #SunshineWeek #ALECIdeas







"You shouldn't need [a] CPA to understand how your money is being spent." - @JoshMandelChio https://t.co/oM70eUnbKp #SunshineWeek #ALECIdeas

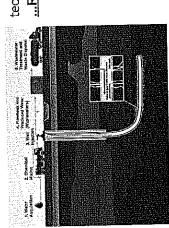
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Sunshine Week: Disclosure of Hydraulic Fracturing Fluid Composition Act

During the first part of the 21st century, some of the greatest examples of American ingenuity and achievement took place in and around the oil and gas patches across the United States. In the early 2000s, wildcatters combined two well-established

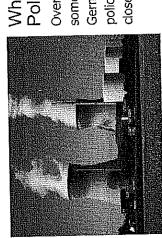
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technologies - hydraulic fracturing (colloquially referred to as ...Read More



Sunshine Week Spotlight: Public Employee Bargaining Transparency Act

accountability. The government that works best is the government accountability when the public is aware of what the government Government transparency is absolutely critical for government that is accountable to the people, But, there can only be does. ...Read More



What Can We Learn From Germany's Energy Policies?

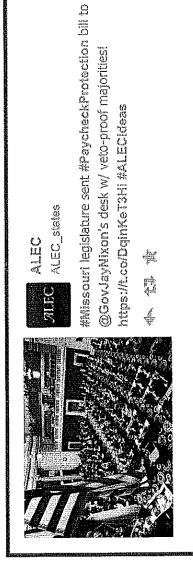
Over the past several years, there has been a growing trend among some U.S. policymakers to look toward Europe - and specifically to policies that can and should be emulated by the U.S. Let's take a Germany – as models for responsible energy and environmental closer look at ... Read More





#RightToWork movement has won major victories for https://i.co/k9BKd0iZvG#RTW#ALECIdeas workers' rights, 2016 is a year for optimism!





The Navajo Nation and the Clean Power Plan



American Legislative Exchange Council

Native Americans like the Navajo Nation. This is unacceptable. All Power Plan, which is under legal challenge, could seriously harm Americans should have access to reliable, affordable energy.... U.S. Environmental Protection Agency overreach in the Clean













Massachusetts Plays the Lottery with Students' Futures



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policies to empower all kids to achieve the American, regardless of Massachusetts and other states should expand school choice zip code.









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Why the FCC's Plan to "Protect" Consumer Privacy is Misguided



American Legislative Exchange Council

The Federal Communications Commission's proposed regulations should protect hardworking taxpayers, not tax them with higher





ŧо Ç. Virginia General Assembly Unanimously Passes Civil Asset Forfeiture Reform



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the Old Dominion toward a greater respect for the property rights of A unanimous, bipartisan coalition of Virginia lawmakers are moving hardworking taxpayers.







As Clean Power Plan is Litigated, More States are "Putting their Pencils Down"



American Legislative Exchange Council

courts determine its legality. Now, leaders in more states across the ALEC alumnus Governor Scott Walker of Wisconsin led the charge to halt state implementation of the Clean Power Plan while the country are moving to halt compliance...







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Tennessee Senate Passes Ban-the-Box Legislation

The Tennessee Senate recently passed <u>Senate Bill 2440</u> with a 25 to 7 vote. The bill, colloquially known as "ban-the box," requires state employers to delay inquiring about criminal records while considering candidates for employment. Certain jobs do not qualify for this deferment, <u>...Read More</u>



The 10 Most Compelling Women in Washington Now – Cathy McMorris Rodgers, Chair, House Republican Conference Congratulations to Congresswoman Cathy McMorris Rodgers, Chair of the House Republican Conference, alumnus and supporter of the American Legislative Exchange Council and one of *Elle Magazine's* "10 Most Compelling Women in Washington":

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Texas taxpayers whipsawed in city-state shell game

<u>Oklahoma lawmakers propose undoing taxpayer relief</u>

How progressives are taking a page from ALEC's playbook

For Retirement Security, K-12 Teachers Should Embrace Higher Ed Model

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Mon, Mar 21, 2016 at 6:06 PM

Ohio Report, Monday, March 21, 2016

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Ohio Report for Monday, March 21, 2016

Energy Companies Remain Hopeful For March Ruling On PPAs

Controlling Board Approves Funding For Elections Training, Teacher Certification, Licensure

Riedel Plans To Pursue Right To Work, Push For Economic Development After Toppling Incumbent

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Attorney General's Opinion

Supplemental Agency Calendar

Supplemental Event Planner

Activity Reports

House

Senate

Calendars

Day Planner

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Volume #85, Report #54 -- Monday, March 21, 2016

Energy Companies Remain Hopeful For March Ruling On PPAs

For more than a year and a half, AEP and FirstEnergy have waited for the Public Utilities Commission's orders on their controversial Power Purchase Agreements - decisions that have been expected to be made in the first quarter of 2016.

But with just one more meeting of the PUCO scheduled for this month, it's possible the wait for one or both decisions could stretch into the second quarter.

The PUCO is scheduled to meet just once more this month - a March 30 meeting for which the agenda has not yet been finalized. The commission will not meet March 23.

Whether the agenda will include one or both cases hasn't yet been determined, but PUCO spokesman Matt Schilling said any belief the ruling will come in the first quarter has been conjecture.

"For what it's worth the commission's never indicated when a decision may be," Mr. Schilling said. "There is lots of speculation out there, but we don't know."

The companies involved and their opponents have been anticipating first quarter orders. Should a decision not come in two weeks' time, the cases a year and a half or more in the making would be poised to continue.

The utilities are hopeful a decision arrives sooner, rather than later. In FirstEnergy's case, for example, the company has two energy auctions scheduled in April under the Electric Security Plan scheduled to begin June 1.

"So we're very hopeful we can get an order in this case so we can proceed with these auctions," spokesman Doug Colafella said. "Because as of June 1, we don't have power supply purchased for our customers.

"I think everyone is hopeful a decision may come as of next meeting. But obviously it's up to commission to put it on the agenda."

AEP spokeswoman Tammy Ridout said the company is "hopeful the commission will issue an order quickly."

"They have all the evidence in hand and we think they should approve the settlement agreement we've proposed," she said. "It's been a long process and we're ready for it to move forward,"

Potentially complicating matters is the ongoing complaints against both PPAs before the Federal Energy Regulatory Commission. The Ohio Consumers' Counsel in February urged the PUCO to delay ruling until the FERC cases are settled. (See <u>Gongwer Ohio Report, February 17, 2016</u>)

In their latest filing, the Electric Power Supply Association argued that the companies have failed to rebut the concerns raised in the complaints and FERC "should issue an order as soon as possible granting the complaints."

The group cites opposition from PJM, the Pennsylvania Public Utility Commission, the Northwest Ohio Aggregation Council and others as showing the merits of its case.

"It is rare to see these parties and suppliers in complete agreement on wholesale market issues, and that they are should be a clear sign that, to paraphrase Shakespeare, something is rotten in the state of Ohio," the group wrote.

In their testimony, AEP and FirstEnergy both argue FERC has no jurisdiction in the matter and that the complaints are baseless because the allegations of consumer harm are "misplaced." (See <u>Gongwer Ohio Report</u>, <u>February 24, 2016</u>)

Controlling Board Approves Funding For Elections Training, Teacher Certification, Licensure

Controlling Board members approved \$92,500 in funding for the Secretary of State's office to hold elections training in Cleveland, though one lawmaker questioned why the event wasn't slated for Columbus.

The training event has recently been held either in Columbus as a two-day event or at five locations around the state as one-day events. Rep. Hearcel Craig (D-Columbus) asked if having the event in Cleveland could affect turnout for people in distant parts of the state. If turnout is low, he said, it could mean the office would have to come back before the board for more money.

Veronica Sherman, chief financial officer for the secretary of state's office, said she didn't expect to need more money.

"I think the cost that we have laid out here is the high end of the parameter and we would not expect to have to come back for more money," she said.

The office wanted to have only one event because it allows for more intensive training, she said.

<u>Sen. Tom Sawyer</u> (D-Akron) questioned part of a request from the Department of Education for \$3.2 million over two years for teacher certification and licensure, which includes the Office of Professional Conduct. The proposal cited an increase in the number of open cases, partially because of high-profile data manipulation scandals.

Sen. Sawyer asked if the department was targeting any particular types of schools or other programs in investigating data manipulation. Aaron Rausch, the department's director of budget and school funding, said they focused on individuals, not broad types of school districts.

"We appreciate that you don't want to go out on a witch hunt, but having said that, knowing that you're well targeted gives us more comfort," Sen. Sawyer said.

Mr. Rausch said the data manipulation cases are part of the increased load at the Office of Professional Conduct, but are not the only reason for the increase. Other things that have increased the caseload include a program that tracks the backgrounds of teachers and employees after they have been hired, finding any new hits to their record while they are working.

"Just in general there has been an increase in the caseload of the Office of Professional Conduct," he said.

The Controlling Board also approved a new contract the Department of Administrative Services reached with the Fraternal Order of Police Ohio Labor Council. The contract covers more than 500 employees statewide in eight state agencies, said Kristen Rankin, interim deputy director for the Office of Collective Bargaining.

The contract runs through June 30, 2018, and is similar to past contracts, though changes include switching from an annual clothing allowance to reimbursement and modifying the drug-free workplace policy to prohibit employees from working if they have blood alcohol contents above 0.02.

A request for \$1.45 million from the Development Services Agency for programs aimed at revitalizing distressed communities was deferred at the agency's request.

Other items approved by the board included requests for (Agenda):

- \$4.4 million from the Court of Claims for the payment of a wrongful imprisonment settlement for Kwame Ajamu, formerly Ronnie Bridgeman, and Wiley Bridgeman.
- \$615,852 from the Department of Natural Resources for geological mapping.
- \$1.9 million from the Ohio State University for a higher education system maintenance and upgrade project. The system manages data on student enrollment, courses, financial aid and more.
- \$3.1 million from OSU for roof and electrical repairs for three buildings on the Marion campus.
- \$4 million from the Development Services Agency for affordable housing assistance grants.
- \$1.9 million from the Ohio Environmental Protection Agency for a number of projects to clean up polluted sites.

Riedel Plans To Pursue Right To Work, Push For Economic Development After Toppling Incumbent

Although he was an outsider in a primary race against an incumbent, businessman Craig Riedel has had no shortage of attention from Columbus since winning his bid to head to the statehouse in January.

The Defiance Republican edged out <u>Rep. Tony Burkley</u> (R-Paulding) in last week's primary to represent Defiance, Paulding, Van Wert and part of Auglaize counties.

Lacking a Democrat competitor in the November election, Mr. Riedel, 49, will be headed to the Statehouse next year. After a brief hiatus from campaigning, he said he'll begin crafting his agenda by meeting with fellow lawmakers who've already begun courting him.



Craig Riedel

"I'm in a major learning curve right now. I'm going to take the summer to meet with those other representatives who've reached out to me that want to talk to me and let me know what I might expect as to how things operate," said the newcomer, who had never run for a political office before retiring from a management position at Nucor Corporation in July to pursue the House seat.

Mr. Riedel said he'll also be familiarizing himself with the capital city, having only spent a brief amount of time at the Statehouse during the last General Assembly.

Ironically, that visit was a "shadowing" of Rep. Burkley while the incumbent performed his state rep duties. Unbeknownst to his host, Mr. Riedel would soon be angling for his job.

Mr. Riedel said he asked Mr. Burkley for the opportunity because he wanted to learn more about the legislature.

When the House GOP first threw its financial support behind Rep. Burkley, Mr. Riedel said he was confused because no one in the party had gotten to know him. (See <u>Gongwer Ohio Report, January 4, 2016</u>)

It's customary for both parties to protect their incumbents, especially in key elections where candidates have well-financed and organized campaigns like that of Mr. Riedel. However, the winner of Tuesday's election said he was able to pull off a victory despite the powers-that-be because voters trust him.

"I think the people we met, they saw the sincerity in my words and my life and they had the confidence in me that I was going to go to Columbus and truly represent them and that I would not be afraid to be criticized or that I wouldn't be afraid to go against the line when I felt it was necessary," he said.

At the risk of upsetting the party, Mr. Riedel said that while he's planning to vote mostly with his peers, he won't be afraid to lead on conservative issues that haven't yet been tackled, such as making Ohio a so-called "right to work" state.

Working with Nucor Corporation for 27 years, he said he saw a number of businesses choose to settle in neighboring states such as Indiana or Michigan because workers in those states are not required to join unions.

"I understand why unions may be necessary but what I believe is an individual should have a right to choose whether or not they want to belong to a union or not," he said. "I think it's wrong that you're required in Ohio to join a union if there is a union in your facility. You should have that freedom of choice."

Working in private business his entire career, Mr. Riedel said he understands how important teamwork is to being successful, however sticking to one's principals is just as important.

"I'm always going to be very respectful and of the Republican Party and I'm very conservative, but I'm always going to do what I think is right and there are going to be times when that goes divergent from what the Republicans would like me to do," he said.

"My bosses are my God and the constituents of the 82nd House District. That's who I'm going to answer to. I'm always going to do what I believe is the right thing to do," Mr. Riedel continued.

Having already knocked on the doors of 4,400 constituents with his wife, Danette, leading up to the election, he said he'll continue meeting with people in his district and find out what issues they care most about.

Another priority will be meeting with business and civic groups to determine the best way to meet his goals of reducing taxes and business regulations as well as spurring economic development, Mr. Riedel said.

Kasich Lags In Money Race, Walks Back Statement On Garland, Announces Arizona Leadership Team And Campaign Stops...

Gov. John Kasich trails competitors Sen. Ted Cruz (R-Texas) and billionaire Donald Trump in the race to secure enough delegates to secure the Republican Party's nomination for president.

He also trails in the money race.

Gov. Kasich reported \$1.25 million on hand at the beginning of March, according to his <u>latest campaign finance</u> report filed with the Federal Election Commission. In February, he raised \$3.4 million and spent \$3.6 million.

Sen. Cruz began the month of March with \$8 million on hand. He raised \$11.8 million and spent \$17.5 million in February.

Mr. Trump had \$1.6 million on hand at the beginning of March. He raised just \$2 million in February, but loaned his campaign nearly \$7 million during the month, bring the total to \$24.3 million since entering the campaign. He spent \$9.5 million in February.

Garland: Over the weekend, the governor was forced to walk back a comment he made about President Barack Obama's pick to fill the seat of former U.S. Supreme Court Justice Antonin Scalia.

During a taped interview for CBS' "Face the Nation," Gov. Kasich suggested he would consider nominating Merrick Garland to a seat on the bench.

He later said that statement was made "in an effort to be polite."

"Look, you know, Garland's - I'm going have my own picks for Supreme Court," he said. "You know, the fact is, I said that they ought to meet him and talk to him, and I'm not going to pick somebody who's, you know, obviously not a respecter of the Second Amendment. I don't want people making law and so nobody should be confused, worked up or upset. He's not going to be my pick for the Supreme Court."

Also, during a <u>taped interview</u> on NBC's "Meet the Press," Gov. Kasich ruled out the possibility of being the running mate of either Sen. Cruz or Mr. Trump.

Leadership Team: Ahead of Tuesday's primary contest in Arizona, Gov. Kasich announced his leadership team there that includes two state lawmakers, two former chiefs of staff to governors, a disability rights advocate and several activists.

"We have a great team in Arizona," Gov. Kasich said. "I am very appreciative of their help to share our positive message to strengthen our country and bring real solutions to the America people."

Campaign Stops: Gov. Kasich on Monday was one of four presidential candidates scheduled to address the American Israel Public Affairs Committee Policy Conference.

In his speech to AIPAC, Gov. Kasich made a pitch based on experience, according to Politico.

On Wednesday, he is scheduled to hold a town hall event in Wisconsin, where he picked up the endorsement of former Treasurer Jack Voight.

Draft Kasich Movement: According to <u>New York Times Magazine</u> writer Robert Draper, the GOP establishment is not rushing to get on board the bandwagon for Gov. Kasich to secure the party's nomination in a brokered process.

According to Mr. Draper, party insiders are rejecting the movement because of his poor showing in most states, along with his support for Medicaid expansion and embrace of Common Core, despite helping to balance the budget as chairman of the House Budget Committee.

"But there's a third layer of resistance to Kasich, one with which Cruz can identify: Many Beltway Republicans don't like him," he writes.

"No doubt Chairman Kasich's strict budgets made life unpleasant for a few lobbyists. But so did his demeanor - which, D.C. veterans say, was often sanctimonious and rude," he continued.

Campaign Continues: Despite needing more than 100 percent of remaining elected delegates to secure the party's nomination, Gov. Kasich on Monday again reiterated that he has no plans to get out of the race.

Speaking on CNN's "New Day" on Monday morning, the governor said a brokered convention will be "an extension of this primary process."

"If I'm the only one that can beat Hillary in the fall, why would anybody say I should leave? I mean that's just -- that's nuts," he said.

Agency Briefs: AG Rejects Another Pot Petition; Review Of EPA Rules Delayed; Painesville Man Busted For Workers' Comp Fraud; Ballot Board To Meet; Sebring Gets Funds

Attorney General Mike DeWine on Monday rejected petition language for a ballot measure to make medicinal marijuana legal in Ohio.

The petition, Medicinal Cannabis and Industrial Hemp Amendment, was submitted by Grassroots OH with more than 2,000 signatures.

However, Mr. DeWine <u>found two defects</u> in the summary language, including the lack of references to proposed amendment language that "industrial hemp and medicinal cannabis shall be researched, regulated, and promoted by the state in a manner substantially similar to other agricultural crops" and another section that states 21-year-olds have "equal opportunity to access, ownership, and employment."

On Friday, Mr. DeWine rejected petition language filed by Ohio Medical Cannabis Care LLC based on 11 defects. (See <u>Gongwer Ohio Report, March 18, 2016</u>)

Since 2011, Mr. DeWine has rejected petition language for 13 measures dealing with marijuana.

A decision on the proposed language of another medical marijuana ballot measure is scheduled to be released Friday.

JCARR: Amid concerns raised by some municipalities, the Joint Committee on Agency Rule Review put off a hearing on Ohio EPA rules that came out of legislation (SB 1) designed to deal with toxic algal bloom in Lake Erie.

The regulations include monitoring and reporting of harmful algal blooms in public water systems.

"We just felt there had to be a few more questions asked," Chairman <u>Sen. Joe Uecker</u> (R-Loveland) said following the meeting.

According to Sen. Uecker, the rules are expected to be back on the agenda for review at the April 4 meeting.

Bureau of Workers' Compensation: A Lake County man was convicted of workers' compensation fraud after the agency's Special Investigations Department captured video of him working as a handyman.

Mark Walker, who was receiving temporary total disability, was ordered to repay nearly \$75,000 in benefits he collected over a five-year period. He was also sentenced to 12 to 18 months incarceration, which was suspended for three years of community control.

"The purpose of temporary total disability is to give injured workers time to recuperate, and work activity during that recovery period is prohibited," BWC Administrator/CEO Steve Buehrer said. "Mr. Walker deceptively returned to employment for several years and continued to collect thousands of dollars from BWC."

Secretary of State: The Ballot Board is scheduled to meet Wednesday and will take up two ballot measures, one a proposed <u>initiative designed to boost the clean energy industry</u> and the other a proposed <u>constitutional amendment</u> that would ban former lawmakers from lobbying for two years after leaving office, and cap most legislators' pay at the annual median household income in Ohio.

Sebring Water Grant: The U.S. Department of Agriculture has awarded the Village of Sebring a \$400,000 grant to assist with water quality improvements, a development welcomed by state and federal lawmakers.

"This grant will help provide much needed upgrades to Sebring's water system but the work is far from over," Senate <u>Minority Leader Joe Schiavoni</u> (D-Boardman) said in a statement. "We need to acknowledge that water quality issues will continue to plague our communities until our state makes an honest investment into fixing our crumbling underground water and sewer infrastructure."

<u>U.S. Sen. Rob Portman</u> stated, "I'm pleased that federal authorities are helping Sebring ensure its water supply is safe. As we move forward, I hope the Senate will act in a bipartisan way to help Ohio and other areas of the country who have similar needs. I will continue to work in a bipartisan manner to ensure that all Ohioans have access to clean and safe drinking water."

Lead-tainted water in the village and officials' slow reaction in alerting residents has lead to fallout at the local level, where the Ohio EPA announced violations, and at the state level, where two agency employees were fired following a review of the circumstances. (See <u>Gongwer Ohio Report, February 17, 2016</u>)

At the federal level, both Mr. Portman and <u>U.S. Sen. Sherrod Brown</u> (D-Avon) have backed related legislation on clean water issues, which have come to the forefront in recent months due to lead tainted water in Flint, Mich., Sebring and elsewhere. (See <u>Gongwer Ohio Report, February 3, 2016</u>)

Politics Notebook: Ramos Looks To Add Early Voting Sites; Portman On Air With Web Ad, Defends Supreme Court Decision; Clyde Up For Award

One state lawmaker is advocating for an increased number of early voting sites.

<u>Rep. Dan Ramos</u> plans legislation that would allow counties to have one early voting location for every 60,000 residents. The additional early voting sites would require the approval of a county board of commissioners or, in case of Cuyahoga and Summit counties, the charted governing body.

"With early voting for the primary recently concluding in Ohio, I believe it is time to examine and address an inequality in the system," he said. "With such variation in population, a 'one-size fits all' approach that limits the number of early voting centers does not adequately encourage public participation in the democratic process."

Under the proposal, 23 counties would be eligible to open at least one additional early voting center, according to Rep. Ramos.

"Voting is a right central to what makes us American, and this bill expands access to that right," Ramos said.
"Allowing more early voting locations closer to home will benefit both suburban and township voters outside of the city center, as well as lower income voters with limited transportation options."

Senate Race: The campaign of Sen. Rob Portman (R-Terrace Park) is up with a <u>web ad</u> touting his work to help Hebron-based ArmorSource secure a federal contract.

According to the ad, the company has added 200 jobs since inking the deal.

In a <u>Sunday op-ed</u> for the *Cincinnati Enquirer*, Sen. Portman defended his decision to join with fellow Senate Republicans in refusing to hold hearings on President Barack Obama's choice to fill the seat of former Supreme Court Justice Antonin Scalia.

"I have concluded that the best thing for the country is to trust the American people to weigh in and to have the confirmation process take place in a less partisan atmosphere," he wrote. "Awaiting the result of a democratic election, rather than having a nomination fight in this contentious election-year environment, will give the nominee more legitimacy and, as then - Senator Biden pointed out, better preserve the institutional credibility of the Senate and the court."

The decision has earned praise from the Judicial Crisis Network, which is launching a \$2 million TV, radio and <u>digital ad campaign</u> in six states, including Ohio.

"The goal of this effort is to inform and alert the citizens of Ohio that in opposing President Obama's third liberal nominee to the Supreme Court, Senator Portman is also opposing liberal domination of the court and that, with the presidential election so close, he is right to allow the people of Ohio a voice in this lifetime appointment to the nation's highest court," Carrie Severino, chief counsel for JCN and a former U.S. Supreme Court clerk, said in a statement.

"As a federal judge, Garland has made rulings undermining the Second Amendment rights of Ohioans as well as defended expansive, unchecked power of federal agencies such as the EPA, decisions that harm Ohio small businesses," she continued.

The move has drawn criticism from Democrats, including Sen. Portman's general election opponent, former Gov. Ted Strickland. (See <u>Gongwer Ohio Report, March 16, 2016</u>)

Sen. Portman also announced on Monday the addition of Michawn Rich as his campaign's communications director.

"We are very excited to have Michawn Rich join us as we kick off the general election," campaign manager Corry Bliss said. "Michawn's discipline and experience in competitive races - including 2014's most competitive congressional race in the country - will be a great addition to our team. She is a seasoned communicator who will help us contrast Rob's vision for a brighter future with why Ohio can't go back to Ted Strickland's Ohio when the state lost over 350,000 jobs and ranked 48th in job creation."

Clyde Nominated For Award: Sen. Sherrod Brown (D-Avon) on Monday urged people to vote for Rep. Kathleen Clyde (D-Kent) to receive the Gabrielle Giffords Rising Star Award by EMILY's List.

"Kathleen is one of Ohio's biggest rising stars. She's an outspoken advocate for voting rights, and even in our state's conservative legislature, Kathleen has proven an effective fighter for Ohio's women and workers," he said.

Ms. Clyde also <u>announced</u> that she will make stops in Columbus, Cleveland and Cincinnati with author Ari Berman to discuss his new book, *Give Us the Ballot: The Modern Struggle for Voting Rights in America*.

Capitol Scene: Former Dispatch Editor Marrison Joins Yost Team

State <u>Auditor Dave Yost</u> said Monday he's hired Ben Marrison, the former *Columbus Dispatch* editor, as his communications director.

He replaces Carrie Bartunek, who was named senior policy adviser for public affairs.

"Ben's extensive media experience and management expertise will be a great addition to our office," Auditor Yost said in a statement. "He is a trusted name in Columbus and all over the state of Ohio, and we are fortunate to have him join our team."

Mr. Marrison, 52, previously worked for the *Cleveland Plain Dealer* and *Toledo Blade*. He starts his new post April 4 with an annual salary of \$105,000.

"The state auditor's office embodies those things that I always tried to do as a journalist: be transparent, provide public access and hold people accountable. I have a great deal of respect for the way Dave Yost has conducted himself as state auditor and as Delaware County prosecutor. His decisions are rooted in doing the right things by taxpayers without regard to politics," Marrison said.

"The position of director of communications provides me the opportunity to continue my public service, to help citizens understand how their money is being spent, and to better understand government operations -- something I've been fascinated with since my earliest days as a reporter."

Mr. Marrison, a Pickerington resident, holds a journalism degree from Bowling Green State University.

Attorney General's Opinion

No. 2016-010. Requested by Paulding County Prosecuting Attorney Joseph R. Burkard. SYLLABUS:

The judges of a court of common pleas, in the reasonable exercise of their discretion, may expend moneys generated by the court's special projects fee imposed pursuant to R.C. 2303.201(E)(1) to purchase incentives that reward a participant's compliance with the terms of the court's drug court program, provided the judges determine that the incentives contribute to the efficient operation of the court.

Supplemental Agency Calendar

Wednesday, March 23

Ballot Board, Senate Finance Haring Rm., Senate Bldg., Columbus, 2:30 p.m. (The board will meet to determine whether each of the proposed constitutional amendments known as the "Ohio Clean Energy Initiative" and the "Ohio Ethics First Amendment" contain only one proposed amendment.)

Thursday, March 24

BWC Nominating Council, Conf. Rms. B&C, 31st Fl., 77 S. High St., Columbus, 1 p.m.

Thursday, April 7

Optical Dispensers Board, 31st Fl., 77 S. High St., Columbus, 9:30 a.m.

Supplemental Event Planner

Wednesday, April 6

Senate Republican candidate Frank Hoagland fundraiser, The Galley, 203 Second St., Marietta, 4:30 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to Hoagland for Ohio)

Tuesday, April 12

Vorys, Sater, Seymour and Pease LLP Legislative Reception, 52 East Gay St., Columbus, 5 p.m.

Tuesday, April 19

Sen. Joe Uecker (R-Loveland) fundraiser, Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to The Committee to Elect Joe Uecker)

17 S. High St., Suite 630 Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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House Activity for Monday, March 21, 2016

INTRODUCED

HBCAPITAL IMPROVEMENTS (Rogers, J., Driehaus, D.) To create the Supplemental State Capital 492 Improvements Pilot Program funded by a temporary transfer from the Budget Stabilization Fund and to make an appropriation. Am. 131.43, 131.44, and 164.01 and to enact section 164.18.

<u>HB</u>CHILD ABUSE REPORTING (Sears, B., Ryan, S.) To make changes in the child abuse and neglect 493 reporting law. Am.307.627, 2151.421, 2151.422, 2151.99, 3701.701, 5153.16, 5153.175, and 5153.176.

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Daily Activity Planner for Tuesday, March 22

Legislative Committees

Canceled: Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.

Canceled: Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

• If needed

Agency Calendar

Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road, Training Room 1, Reynoldsburg, 8 a.m.

Event Planner

Presidential primaries/caucuses in Arizona, Utah & Idaho (Democratic)

ACLU of Ohio and Ohio Justice and Policy Center news conference to release criminal justice report, Judicial Room, Sheraton at Capitol Square, 75 E. State St., Columbus, 10 a.m.

Rep. Nickie Antonio (D-Lakewood) and Rep. Janine Boyd (D-Cleveland Hts.) news conference on bill to remove firearms in certain domestic violence situations, Ladies Gallery, Statehouse, Columbus, 10:30 a.m.

Rep. Greta Johnson (D-Akron) and Sen. Capri Cafaro (D-Hubbard) news conference on gender diversification legislation, Ladies Gallery, Statehouse, Columbus, 2 p.m.

Sen. Troy Balderson (R-Zanesville) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000; Event Sponsor \$500; Individual Attendee \$350 to Troy Balderson for State Senator)

Sen. Jay Hottinger (R-Newark) fundraiser, Athletic Club, Gold Rm., 136 E. Broad St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Hottinger)

Sen. Kevin Bacon (R-Columbus) fundraiser, Athletic Club, Crystal Rm., 136 E. Broad St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Kevin Bacon)

Sen. Bill Coley (R-Liberty Twp.) fundraiser, Claddaugh, 585 S. Front St., Columbus, 5:30 p.m., (Hoste: \$1,000; Sponsor \$500; Individual attendee: \$350 to Friends of Bill Coley)

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Senate Activity for Monday, March 21, 2016

INTRODUCED

SB STUDENT EXPULSIONS (Hughes, J.) With respect to the expulsion of a student from a school district, 297 community school, or STEM school for communicating a threat of violence to occur on school grounds. Am. 3313.66 and 3313.661 and to enact section 3313.668.

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Sarah LaTourette Kayser < latoursm@gmail.com>

Gongwer News Service Ohio Media Clips

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com>
To: sml@sarahlatourette.com

Wed, Mar 30, 2016 at 8:24 AM



Ohio News & Opinion For March 30, 2016

News

Deaths of pedestrians killed by motor vehicles in Ohio up (Associated Press, 3/30/2016)

A contested Republican convention in Cleveland? What you need to know about the 2016 RNC (Cleveland Plain Dealer, 3/30/2016)

Contested political conventions through the years (Cleveland Plain Dealer, 3/30/2016)

Don't hold your breath for a John Kasich-Ted Cruz ticket: Ohio Politics Roundup (Cleveland Plain Dealer, 3/30/2016)

Former Ohio heroin addict to meet with President Barack Obama today (Cleveland Plain Dealer, 3/30/2016)

From gay rights to abortion, social issues heating up across country (Cleveland Plain Dealer, 3/30/2016)

John Kasich to hold 'town hall' meeting in New York City: What to watch for Wednesday (Cleveland Plain Dealer, 3/30/2016)

Ethics amendment supporters headed to Ohio Supreme Court (Columbus Dispatch, 3/30/2016)

Ethics amendment supporters headed to Ohio Supreme Court (Columbus Dispatch, 3/30/2016)

Kasich, Cruz, Trump hit hard in town hall (Columbus Dispatch, 3/30/2016)

Ohio Politics Now: A look at John Kasich's fight for delegates (Columbus Dispatch, 3/30/2016)

Ohio Politics Now: John Kasich, Ted Cruz not likely to support Donald Trump as GOP nominee (Columbus Dispatch, 3/30/2016)

Portman says a Trump nomination won't hurt chances for re-election (Columbus Dispatch, 3/30/2016)

High court upholds fair share fees for unions (Dayton Daily News, 3/30/2016)

Lawsuit seeks to end Ohio's tax on feminine hygiene products (Dayton Daily News, 3/30/2016)

Portman claims endorsement in re-election bid (Toledo Blade, 3/30/2016)

U.S. Chamber endorses Portman, calls choice 'crystal clear' (Toledo Blade, 3/30/2016)

Editorials

What the governor is missing (Akron Beacon Journal, 3/30/2016)

Cleveland schools must fix broken E-Rate system: editorial (Cleveland Plain Dealer, 3/30/2016)

2 million and counting (Columbus Dispatch, 3/30/2016)

Judge the person (Toledo Blade, 3/30/2016)

Let's plug another loophole in Ohio charter-school law (Youngstown Vindicator, 3/30/2016)

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Sarah LaTourette Kayser < latoursm@gmail.com>

Senate Floor Report

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com>
Reply-To: gongwerreports@gongwer-oh.com
To: Standard_Subscriber_misc_html@gongwer-oh.com

Mon, Apr 4, 2016 at 5:00 PM



Senate Activity for Monday, April 4, 2016

INTRODUCED

SB PUBLIC EMPLOYEE INDEMNIFICATION (Williams, S.) To grant a cause of action to an employee or injured person **304**against a political subdivision that refuses to perform its statutory duty to indemnify an employee in the amount of a judgment for certain damages if specified conditions apply. Am. 940.07 and 2744.07.

SB TAX CERTIFICATE SALES (Williams, S.) To prohibit the sale of tax certificates for parcels owned by a person sixty-305five years of age or older and that include the primary residence of the owner. Am. 5721.06, 5721.31, and 5721.34.

SB DAY DESIGNATION (Yuko, K.) To designate July 8 as "Harrison Dillard Day." En. 5.236. 306

SENATE CONCURS IN HOUSE AMENDMENTS

Criminal Justice Committee: Remove Sen. Obhof and appoint Sen. Hackett and appoint Sen. Hughes as Vice Chair

SENATE PRESIDENT'S APPOINTMENTS

Committee to Wait Upon the Governor at the State of the State on April 6 in Marietta, Ohio: Sens. Obhof, Patton, Manning, Oelslager, Schiavoni, Brown, Gentil and Cafaro.

Ohio Aerospace and Avi	ation Technology	Committee:	Sen. Uecker
------------------------	------------------	------------	-------------

Agriculture Committee: Remove Sen. Manning and appoint Sen. Hackett; remove Sen. Uecker as Vice Chair and appoint Sen. Hackett as Vice Chair

Civil Justice Committee: Appoint Sen. Hackett

Education Committee: Appoint Sen. LaRose

Finance Committee: Remove Sen. LaRose and appoint Sen. Hite

Finance: Education Subcommittee: Appoint Sen. Gardner

Finance: Corrections Subcommittee: Remove Sen. Uecker as Chair and appoint Sen. Patton as Chair

Finance: Workforce Subcommittee: Appoint Sen. Hackett

Government Oversight & Reform Committee: Appoint Sen. Peterson

Insurance Committee: Remove Sen. Manning and appoint Sen. Hackett and Sen. Peterson

Medicaid Committee: Appoint Sen. Uecker

Rules & Reference Committee: Appoint Sen. Peterson, appoint Sen. Obhof as Vice Chair

State & Local Govt. Committee: Remove Sen. Peterson and appoint Sen. Hackett, appoint Senator Uecker as Chair

Transportation, Commerce & Labor Committee: Remove Sen. Manning as Chair and appoint Sen. LaRose as Chair, appoint Sen. Manning as Vice Chair

Ways & Means Committee: Remove Sen. Hite and Sen. Obhof, appoint Sen. Balderson, Sen. LaRose and Sen. Hackett

Click the after a bill number to track that bill and create email alerts on activity.

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Sarah LaTourette Kayser < latoursm@gmail.com>

ALEC Center to Restore the Balance of Government

1 message

American Legislative Exchange Council <avarner@alec.org>
To: latoursm@gmail.com

Tue, Apr 5, 2016 at 4:46 PM

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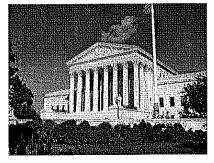


Center to Restore the Balance of Government



ALEC Board of Scholars Member - Rob Natelson - Discusses Article V on Texas Radio

Explaining that Article V is the "principle way that the Founders thought the people could rein in an out of control federal government," Rob Natelson, author of the ALEC <u>Article V</u> <u>Handbook</u>, discussed the amendments convention process on Houston radio with Matt Patrick. Read more <u>...Read More</u>



Disappointing Friedrichs Decision Underscores Need for States to Act

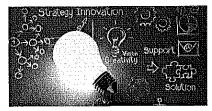
Last Tuesday, the Supreme Court handed down a disappointing 4-4 decision in *Friedrichs v. California Teachers Association*, which with a fifth vote, would have secured the rights of teachers across the country not to be forced to support the teachers unions' political causes as a ...Read More



Early Bird Registration ENDS April 11

Join ALEC in Pittsburgh May 6 for a celebration of limited government, free markets and federalism.

Register Here



Intellectual Property and America's 50 Laboratories of Innovation

ALEC hosted a congressional conference call with Senator Steve Daines (MT) on Tuesday, March 8 during which he discussed the importance of robust intellectual property rights (IPR) protections to curb IP theft. His pre-Congressional career gives him a uniquely relevant perspective on the importance of IP to the innovation economy and the challenges of protecting IP. ...Read More

Article V at the ALEC Spring Task Force Summit

The Task Force on Federalism will not meet at the Spring Task Force Summit in Pittsburgh. However, Article V will be front and center both Friday, May 6 and Saturday, May 7.

Scheduled events appear below:

Friday, May 6

11:00 AM-12:15 PM How a State Drafted and Ratified Balanced Budget Amendment Can Save the American Dream of Peace and Prosperity

This workshop features presenter Admiral William Owens, USN (ret.) who recommends that "state legislators support the Balanced Budget Amendment Resolution because there can be no 'Peace through Strength' without a strong dollar and financially strong federal government." Moderated by Rep. Gary Banz (OK), other speakers include Bill Fruth (Co-Founder Balanced Budget Amendment Task Force) and David Goldenschuh (Policy Advisor, Heartland Institute).

6:00 PM - 9:30 PM Reception/Dinner [RSVP Required]

This working dinner will feature noted speakers discussing why the states must act to prevent "the most predictable economic crisis in history." [Erskine Bowles] In addition to John Knubel (former HUD CFO), David Walker (former U.S. Controller General and Director of the General Accountability Office) and Admiral William Owens, USN (ret.) (former Vice Chairman Joint Chiefs of Staff), legislative leaders on BBA will address the group.

RSVP for Dinner Here

Saturday, May 7

7:30 AM- 11:45 AM Breakfast/Interactive Workshops on an Article V Convention for Proposing Amendments [RSVP Required]

A panel discussion on how a balanced budget amendment to the U.S. Constitution could lead to greater economic growth and prosperity kicks off the morning. Workshops answering questions about and dispelling the myths surrounding an Article V convention for proposing amendments round out the morning's activities.

RSVP for Breakfast Here

ALEC Adopts New Article V Model Policy

Rules for an Article V Convention for Proposing Amendmentswas officially adopted as ALEC model policy in March. Access this new modelpolicy **here**.

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Gongwer Email Alerts for Friday, April 8, 2016

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com>
To: sml@sarahlatourette.com

Fri, Apr 8, 2016 at 4:36 PM



Email Alerts For Sarah LaTourette

Tracked Committees

House State Government

4/12/2016, 8:30 a.m., Rm. 116

- SB **CONTRACTOR LABOR** (Uecker, J.) To prohibit a public authority from requiring a contractor to employ a certain percentage of individuals from the geographic area of the public authority for the construction or professional design
- 152 percentage of individuals from the geographic area of the public authority for the construction or professional design of a public improvement.
- SB **DAY DESIGNATION** (Hughes, J.) To designate August 7 as Ohio Purple Heart Day. 239
- HB TRANSPORTATION LAWS (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise the existing
- 341 statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law.
- HB DAY DESIGNATION (Romanchuk, M., Amstutz, R.) To designate February 3 as "Charles Follis Day."
- HCREDUCATION ACT (McColley, R.) To urge the United States Congress to pass the ADA Education and Reform Act of 32 2015.

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Sarah LaTourette Kayser < latoursm@gmail.com>

Senate Floor Report

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com> Reply-To: gongwerreports@gongwer-oh.com To: Standard_Subscriber_misc_html@gongwer-oh.com Tue, Apr 12, 2016 at 2:42 PM



Senate Activity for Tuesday, April 12, 2016

INTRODUCED AND REFERRED

SR CHEMICAL FACILITIES (LaRose, F.) To recognize the National Association of Chemical Distributors' Responsible 358Distribution Program for its environmental stewardship and encourage chemical distribution facilities in Ohio to participate in that Program and the Ohio EPA's pollution prevention assistance program and Encouraging Environmental Excellence (E3) Program.

Energy & Natural Resources

INTRODUCED

SB 310 CAPITAL APPROPRIATIONS (Oelslager, S.) To make capital appropriations.

PASSED

HB DAY DESIGNATION (Hagan, C., Dever, J.) To designate the fourth Sunday of July as Blue Star Mothers Day. 242 33-0

DRIVERS LICENSE SUSPENSIONS (Seitz, B.) To make the suspension of an offender's driver's license for a violation of specified drug offenses discretionary rather than mandatory, to authorize a court to terminate a driver's license suspension imposed for specified drug offenses committed out-of-state, to generally authorize a court to terminate a previously imposed mandatory suspension for specified drug offenses, to provide for the discretionary suspension of an offender's driver's license for possessing nitrous oxide in a motor vehicle, and to make consistent the provisions of law governing the ability of a court to grant limited driving privileges.

SB DEATH DESIGNATION DEEDS (Bacon, K.) To amend the law related to transfer on death designation deeds and affidavits.

33-0

HCRCMS SURVEY (Sears, B., Antonio, N.) To encourage the federal Centers for Medicare and Medicaid Services to 16 Previse survey measures included in the Hospital Consumer Assessment of Healthcare Providers and Systems that relate to patient pain management. 33-0

SENATE CONCURS IN HOUSE AMENDMENTS

SB 182 ROAD NAMING (Balderson, T., Peterson, B.) To designate various bridges and highways.

REFERRED

Agriculture

ANIMAL FIGHTS (Sears, B., Bishoff, H.) To prohibit and establish an increased penalty for knowingly engaging in activities associated with cockfighting, bearbaiting, or pitting an animal against another.

Civil Justice

HB SMALL CLAIMS COURTS (Terhar, L., Dever, J.) To raise the maximum allowable limit of the monetary jurisdiction of 387 small claims divisions of municipal courts.

SB CIVIL LIABILITY (Lehner, P.) To modify the qualified immunity from civil liability for volunteer health care services 292provided to indigent and uninsured persons and to permit health care professionals to earn continuing education credit by providing volunteer health care services to indigent and uninsured persons.

SB VOTING HOURS (Seitz, B.) To specify the conditions under which a court may order that a polling place be kept open 296 for extended hours on the day of an election and to require a person who votes pursuant to such an order to cast a provisional ballot.

SB PERRY COUNTY COURTS (Hottinger, J.) To create the Perry County Municipal Court in New Lexington on January 2991, 2017, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Perry County County Court on that date, to designate the Perry County Clerk of Courts as the clerk of the Perry County Municipal Court, and to provide for the election for the Perry County Municipal Court of one full-time judge in 2017.

SB PREGNANCY ACCOMMODATIONS (Jones, S., Cafaro, C.) To enact the "Pregnancy Reasonable Accommodation-**301**Act" to generally require employers to make reasonable accommodations for employees who are pregnant or breastfeeding.

SB PUBLIC EMPLOYEE INDEMNIFICATION (Williams, S.) To grant a cause of action to an employee or injured person **304**against a political subdivision that refuses to perform its statutory duty to indemnify an employee in the amount of a judgment for certain damages if specified conditions apply.

SB CHILD SUPPORT (Coley, B.) To amend the child support laws. 308

SR CORPORATE BOARDS (Cafaro, C.) To urge equitable and diverse gender representation on the corporate boards of **373** directors of companies based in Ohio.

Criminal Justice

SB EXPUNGEMENT (Obhof, L.) To provide that a person who is found not guilty of an offense by a jury or a court or who 284 is the defendant named in a dismissed complaint, indictment, or information may apply to the court for an order to expunge the person's official records in the case if the complaint, indictment, or information or finding of not guilty was the result of the applicant having been a victim of human trafficking and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution.

SB POLICE ANIMALS (Hughes, J.) To modify the penalty for assaulting a police dog or horse to require, if the dog or 286horse is killed, a mandatory prison term and a mandatory fine to be paid to the law enforcement agency served by the dog or horse.

SB RESIDENTIAL ENTITIES (Williams, S.) To authorize an organized residential entity with defined boundaries to seek 290an injunction to keep certain repeat offenders from entering the area.

Education

STUDENT EXPULSIONS (Hughes, J.) With respect to the expulsion of a student from a school district, community school, or STEM school for communicating a threat of violence to occur on school grounds.

Energy & Natural Resources

SCR RACE VEHICLES (LaRose, F.) To urge the Administrator of the United States Environmental Protection Agency to 18 are retract proposed regulations concerning competitive race vehicles that are used solely for competition.

Finance

SB RESIDENTIAL CARE (Cafaro, C.) To authorize alternative sanctions for residential care facilities, to authorize 283 memory care units in residential care facilities, to provide funds to regional long-term care ombudsman programs to hire additional staff, and to make an appropriation.

SB COMMUNITY SCHOOL CONTRACTS (Schiavoni, J.) Regarding community school operator contracts and the 298 operation of Internet- and computer-based community schools.

Government Oversight & Reform

SJRGRAND JURIES (Williams, S.) Proposing to amend Section 10 of Article I of the Constitution of the State of Ohio to 6 allow the prosecutor in a felony case to elect to prosecute upon a finding of probable cause by a court following a hearing rather than upon indictment by a grand jury.

HB DRUG ADDICTION TREATMENT (Green, D., O'Brien, S.) Regarding encouraging pregnant women who are 325 addicted to controlled substances to seek treatment.

SB NATURAL RESOURCES (Balderson, T.) To revise specified laws relating to natural resources.
293

SB AGENCY RULEMAKING (Uecker, J.) To reform agency rule-making and legislative review thereof. 303

Health & Human Services

HB TERMINAL PATIENTS (Sprague, R., Anielski, M.) To permit a physician to treat a terminally ill patient with a drug that 290 is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician.

SB DIABETES (Hite, C.) To require state agencies to assess the incidence of diabetes in Ohio, to establish goals and 287 plans to reduce that incidence, and to submit biennial reports with findings and recommendations for fiscal and legislative policies on diabetes prevention, treatment, and management.

SB AWARENESS MONTH (Yuko, K.) To designate September as "Pain Awareness Month." 291

SB SMOKING BAN (Schiavoni, J., Seitz, B.) To amend the smoking ban. 295

SB PSYCHOTROPIC DRUGS (Seitz, B.) To authorize certain psychologists to prescribe psychotropic and other drugs for 300the treatment of drug addiction and mental illness.

Medicaid

HCRDD EMPLOYMENT SERVICES (Romanchuk, M., Antonio, N.) To urge the Congress of the United States to request 21 withat the federal Centers for Medicare and Medicaid Services revise its guidance on employment services for individuals with developmental disabilities to maintain their right to participate in programs offered by facility-based day programs, training centers and sheltered workshops.

State & Local Government

HB CORONER LAW (Huffman, S., Johnson, T.) To recognize that coroners include medical examiners; to change the 240 qualifications for holding office as a coroner of a charter county; to require, under certain conditions, and to authorize, under other conditions, supplemental compensation for coroners who are forensic pathologists; to revise how the office of coroner is filled when a vacancy cannot be filled by election or appointment; to specify the disposition of a firearm when a person meets death under certain circumstances; to specify who pays for the autopsy of an inmate of a state correctional facility; and to make other changes to the coroners' law.

HB MONTH DESIGNATION (Grossman, C., Curtin, M.) To designate the month of September as "Hunger Action Month." 241

HB RETIREMENT SYSTEMS (Schuring, K.) To include new nonteaching employees of The University of Akron as 305members in the Public Employees Retirement System and to make an appropriation for the University's School Employees Retirement System employer surcharge payments.

SB DAY DESIGNATION (Thomas, C., Tavares, C.) To designate September 12 as "Jesse Owens Day." 285

SB AWARENESS DAY (Schiavoni, J.) To designate May 15th as "All for the Kids Awareness Day." 294

SB DAY DESIGNATION (Yuko, K.) To designate July 8 as "Harrison Dillard Day." 306

SB SCHOOL BUS OPERATION (LaRose, F.) To require a school bus operator who files a report alleging that a vehicle 309 passed the school bus while stopped to include in the report a description of the operator of the vehicle if possible, rather than requiring a description of the operator in all circumstances.

Transportation, Commerce & Labor

SB FAMILY LEAVE (Cafaro, C.) To establish family and medical leave insurance benefits to provide paid leave to allow an individual to address the individual's own serious health condition, to care for a family member, or to bond with a new child and to exempt those benefits from personal income tax.

SCRMINERS ACT (Gentile, L.) To urge the Congress of the United States to enact the Miners Protection Act of 2015.

17

Ways & Means

HB TAX EXEMPTION (Schaffer, T., Retherford, W.) To exempt the sale of natural gas by a municipal gas company from **390** the sales and use tax.

HB LINKED DEPOSITS (Schuring, K.) To create the business linked deposit program, to permit credit unions to 415 participate in that program, to permit credit unions to participate in the agricultural linked deposit program, and to make other changes to the linked deposit law.

SB TAX PAYMENTS (Eklund, J.) To revise the law governing how taxes on income from pass-through entities is to be 288 reported and paid by the entities and their investors.

SB TAX CREDIT (Patton, T.) To increase the overall cap on the motion picture tax credit from \$40 million per fiscal 289 biennium to \$100 million for the current fiscal biennium and \$160 million for all subsequent biennia.

SB PROPERTY TAXES (Schiavoni, J., Gentile, L.) To exempt from property taxation the primary residence of military https://mail.google.com/mail/u/0/?ui=2&ik=633a3672ae&jsver=EWKsbuuUcyk.en.&cbl=gmail_fe_180716.14_p7&view=pt&q=labor&qs=true&search=query&th=154

302 veterans who are disabled.

- 55

SB TAX CERTIFICATE SALES (Williams, S.) To prohibit the sale of tax certificates for parcels owned by a person sixty-305 five years of age or older and that include the primary residence of the owner.

Click the after a bill number to track that bill and create email alerts on activity.

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Sarah LaTourette Kayser < latoursm@gmail.com>

Ohio Report, Tuesday, April 12, 2016

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com>
To: sml@sarahlatourette.com

Tue, Apr 12, 2016 at 7:13 PM



Ohio Report for Tuesday, April 12, 2016

Two-Year State Capital Bill Introduced, Slated For Speedy Enactment With No Major Changes

House Passes New Curbs On Speed Traps, Sentencing Guidelines For Aggravated Murder

Senate Votes To Give Judges More Discretion In Drug Cases

Medical Marijuana: House Plans Wednesday Rollout Of Legislative Plan; Group Pushing Ballot Issue Announces Campaign Staff

Administration Targets Opioid Abuse With Latest MBR Plan

Hiring Bill Vote Delayed After Controversial Project Labor Agreement Amendment Fails To Materialize

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160412dayplan.htm 35K

Apr12House.htm 100K

Apr12Senate.htm 114K Volume #85, Report #70 -- Tuesday, April 12, 2016

Two-Year State Capital Bill Introduced, Slated For Speedy Enactment With No Major Changes

A \$2.62 billion capital appropriations budget for fiscal years 2017-2018 was introduced in the Senate Tuesday and immediately set on a fast track that could have it to the governor's desk in just a few weeks.

Legislative leaders and <u>Gov. John Kasich</u>'s administration said the package (<u>SB 310</u>) was the subject of months of negotiations that included a separate process for developing higher education proposals among the institutions themselves and extensive feedback from lawmakers regarding local needs.

As such, the bill is not expected to incur any major changes moving forward. If it pans out like the last capital bill process, it could clear both chambers with only technical amendments.

The bill already appears to have strong bipartisan support. At a morning news conference and later in the Senate Finance Committee, minority Democrats thanked the Republican leadership for their inclusive approach to developing the proposal, which is mostly funded with bonds backed by the state's general revenues.

"This bill makes appropriations for the renovation, reconstruction and construction of capital assets of state agencies, colleges, universities and school districts," Office of Budget and Management <u>Director Tim Keen</u> said in his committee <u>testimony</u>.

"It also funds a program of grants and loans to local governments for infrastructure projects throughout the state. Additionally, a portion of appropriations in this bill provides funds to support targeted projects of local or regional importance."

Senate <u>President Keith Faber</u> (R-Celina) and <u>Speaker Cliff Rosenberger</u> (R-Clarksville) gave a broad overview of the package during a Tuesday morning news conference and said it would be headed to the governor in short order with no significant amendments expected.

In general, the bill includes (<u>Legislative Service Commission analysis with county-by-county project lists</u>; <u>OBM Fact Sheet</u>; <u>OBM Appropriations by county</u>)

- \$650 million for K-12 buildings through the Ohio School Facilities Commission.
- \$500 million for local infrastructure through the Public Works Commission, including \$100 million for Clean.Ohio projects.
- \$323 million for improvements to dams, state parks and forests under the Department of Natural Resources allotment.
- \$160 million for "community projects," including \$5.8 million alone in Mahoning Valley, which the speaker said was the most in some time for that region.
- \$150.8 million for the Department of Rehabilitation and Correction.
- \$100 million for health and human services and Youth Services facilities.

- \$100 million for transportation projects.
- \$68.5 million for the Department of Administrative Services.

The bill also contains \$428 million, or about \$24 million more than two years ago, for higher education projects vetted ahead of time by representatives of two- and four-year institutions. That portion of the capital bill mirrors the <u>Capital Funding Commission Report</u> crafted collaboratively by the institutions. The funding prioritizes maintaining current investments and also focuses on facilities housing training initiatives for in-demand jobs. (See <u>Gongwer Ohio Report, April 8, 2016</u>)

Including money for statewide projects and overlapping community initiatives, the total allotment for higher education facilities is \$537 million.

"This investment is possible because of Ohio's strong financial position," Sen. Faber said. The bill, he added, is consistent with philosophy of restrained government spending and targeting public dollars appropriately.

Speaker Rosenberger said members reached out to communities for feedback on local needs. "This is an important investment to our communities," he said.

Senate Minority Leader Joe Schiavoni (D-Boardman) said that while many worthwhile projects did not get funded in the bill, he viewed the overall process as fair - especially concerning initiatives in his area of the state.

The GOP finance chairmen in both chambers said they reached across the aisle in developing the package and believe they have come up with an agreed-to list of projects.

Sen. Scott Oelslager (R-N. Canton) said he reviewed local priorities with all members of the Senate from both parties and kept the process inclusive and open. It wasn't just one party determining the outcome, he said. "We truly collaborated with them."

Rep. Ryan Smith (R-Bidwell) said a similar process played out in the House as the bill was pieced together over the last few months.

"We tried to take everything into account from all of our members," he said. "There's only so much money to go around, so we had to make some choices. But I thought it was a very well-thought out process that worked fairly well on both sides."

While predominantly a funding measure, the bill does include a few policy items proposed by the administration. Among those according to Mr. Keen is a plan to allow local schools to issue Certificates of Participation, or lease-purchase agreements, to help cover the local match for OSFC projects. (See <u>Gongwer Ohio Report, March 29, 2016</u>)

House Passes New Curbs On Speed Traps, Sentencing Guidelines For Aggravated Murder

Responding to a central Ohio village known for its unusually high traffic fines, the House on Tuesday unanimously passed a bill that sponsors said would close a loophole in a law intended to curb such activities.

Sponsored by <u>Rep. Cheryl Grossman</u> (R-Grove City) and <u>Rep. Hearcel Craig</u> (D-Columbus), the measure (<u>HB 335</u>) would restrict certain traffic fees levied by villages without mayor's courts. It would also clarify the jurisdiction of municipal and county courts over municipal traffic ordinances.

Rep. Grossman said the bill is a follow-up to a law enacted in the 129th General Assembly (<u>HB606</u>) that abolished mayor's courts for villages with populations less than 200.

The one-man police department on the Village of Brice east of Columbus has been getting around that law by issuing "civil violations" for speeding and other traffic infractions that are payable directly to the village, she said.

Rep. Grossman said a review of what Brice has been charging violators found "a significant difference" between fines and costs in the village compared to those in the county. A \$750 charge for expired license tags in Brice, she said, compared to less than a \$100 fine in Franklin County.

Rep. Craig also decried the village's "exorbitant fees," saying the bill was aimed at "closing the loophole" that has allowed for "abusive and excessive traffic fines" in the village.

The measure passed 95-0.

The enhanced penalties for aggravated murder (<u>HB 57</u>) stem from a constituent of sponsor <u>Rep. Ron Maag</u>'s (R-Lebanon), he said.

He detailed how the woman's son was brutally killed during a robbery, saying she was shocked to discover that the murderers could get as little as 25 years in prison for the crime.

The bill would create a new aggravating circumstance specifying an offense "was committed purposely, and with prior calculation and design, causing the death of another or the unlawful termination of another's pregnancy," according to the Legislative Service Commission analysis.

While retaining some of the current durations for which perpetrators must be imprisoned for aggravated murder before becoming eligible for parole, the bill also adds a possible term of life imprisonment with parole eligibility after serving 35-55 years under specified circumstances, according to LSC.

Rep. Maag said the bill would give prosecutors, judges and juries "a lot more leeway" in sentencing for the crime.

The bill passed 83-11.

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The House also advanced measures that: allow an individual on active military duty, while on leave or furlough, to hunt deer or wild turkey without procuring a deer or wild turkey permit (HB 165); designate June as "Scleroderma Awareness Month" (SB 133); and urge the United States Congress to increase federal funding for research and development involving advanced medical technology used in the treatment of type 1 diabetes (SCR 2).

Rep. John Becker (R-Union Twp.) objected to the latter measure, questioning the constitutionality of such spending and saying the state should instead be urging the federal government to curb spending.

<u>Rep. Alicia Reece</u> (D-Cincinnati) applauded the bipartisan nature of the bill, saying the disease cuts across demographic lines and preventing diabetes deaths was a "return on investment" to the state by preserving more taxpayers.

New Member Seated: In other business, retired plumber and business owner Bill Dean, who won a four-way GOP primary for the 74th House District, was seated to fill the vacancy created by Bob Hackett's move to the Senate.

Mr. Dean is a longtime business owner from Xenia with conservative politics similar to his son-in-law, <u>Rep. Ron Hood</u> (R-Ashville).

He said in an interview following his primary win that his priorities include lowering taxes, reducing regulations and enacting the anti-abortion "heartbeat bill." (See <u>Gongwer Ohio Report, March 17, 2016</u>)

"The 74th House District made it clear this past March when Bill Dean was elected as the district's Republican candidate for state representative that he was the right man for the job," Speaker Rosenberger said in a statement. "The Ohio House has done its due diligence to the people of the district by appointing Dean to the open seat, and I look forward to working closely with him."

Senate Votes To Give Judges More Discretion In Drug Cases

Ohioans convicted of certain drug-related offenses would be more likely to retain their driver's licenses under legislation that cleared a unanimous Senate on Tuesday.

The bill (SB 204) sponsored by Sen. Bill Seitz (R-Cincinnati) gives judges more discretion in terms of suspending licenses - a move he said would make it more likely that those offenders retain their ability to get to work and remain productive.

The sponsor said the effort to update state law has been underway for a number of years, and included a prior legislative action that, in essence, allowed the General Assembly to make the change despite contrasting federal statutes.

That federal law, he said, generally required the suspension of driver's licenses for drug offenses that had no relation to driving.

The measure gives judges the ability to decide whether licenses should be suspended, with the exception of cases where drivers were shown to be driving under the influence of drugs.

He said the proposal also allows Ohioans whose licenses have been suspended under the old law to seek the restoration of their driving privileges.

Sen. Seitz said the bill is also expected to reduce the number of people who are returned to jail for driving while their licenses are suspended.

The bill also:

- allows courts to terminate license suspensions imposed for some drug offenses committed out-of-state;
- lets courts end previously-imposed mandatory suspensions for specified drug offenses;
- makes the suspension of licenses for the possession of nitrous oxide in a vehicle optional;
- · unifies sections of law regarding courts' ability to grant limited driving privileges, and;
- makes consistent the provisions of law governing the ability of a court to grant limited driving privileges.

In a separate vote, <u>Sen. Kevin Bacon</u> (R-Columbus) won approval of a measure (<u>SB 232</u>) that updates laws governing transfer on death deeds and affidavits.

The sponsor said the bill unifies how the instruments are treated and can be used to avoid proceedings in probate court.

The Senate also backed a resolution (HCR 16) that urges federal health officials to update survey measures in the Hospital Consumer Assessment of Healthcare Providers and Systems regarding patient pain management.

<u>Sen. John Eklund</u> (R-Chardon) said the survey results play a role in determining reimbursement rates - a factor that creates a "perverse incentive" that may lead to excessive prescribing of opioids.

He said changing the questions could reduce the issuance of the medications that can form addictive habits, helping to curb the state's prescription drug abuse problem.

Members also concurred in House amendments to a measure (<u>SB 182</u>) that names dozens of roads and other structures after Ohio soldiers, veterans and political officials and approved a measure (<u>HB 242</u>) declaring the fourth Sunday of July as Blue Star Mothers Day.

Session Security: Two Highway Patrol troopers stood guard in the Senate chamber on Tuesday, and their presence was also noted in the House chamber.

Sen. <u>President Keith Faber</u> (R-Celina) declined to comment on whether the officers' presence will be continuous, or whether their positioning is part of an enhanced Statehouse security plan that was adopted recently.

The Statehouse is also expected to install X-ray equipment in the near future.

Medical Marijuana: House Plans Wednesday Rollout Of Legislative Plan; Group Pushing Ballot Issue Announces Campaign Staff

Plans to move forward on legalizing marijuana for medicinal purposes are progressing on at least two separate paths this week.

<u>Speaker Cliff Rosenberger</u> (R-Clarksville) said the House would announce a proposal during a Statehouse news conference on Wednesday - a development that could set the stage for a race to enact legislation prior to summer recess at the end of May.

Such a plan would get the Republican majority's law in place ahead of a proposed ballot issue, which picked up steam this week with Ohioans for Medical Marijuana's announcement of its campaign staff.

While that group and others have moved forward with plans to take medical pot to the voters in the fall, the House has been holding hearings on the issue led by <u>Rep. Kirk Schuring</u> (R-Canton), and the Senate has also been gathering data.

Rep. Schuring will unveil the House's plan at the Wednesday event, the speaker said. While it's widely expected that the General Assembly will process a bill through in short order to potentially thwart a ballot push, the speaker did not definitively say how quickly that will happen.

He did say he expected the Senate to be on board.

"I think this is going to be a joint effort," Speaker Rosenberger said.

"The Senate went through their process and we've been in communication with Sens. Dave Burke (R-Marysville) and Kenny Yuko (D-Richmond Hts.) and it's something we'll continue to talk about with them."

"To me...I think it's something we need to look at in a relatively quick manner and not look like we're delaying or trying to do a stall tactic," he added.

Some lawmakers have taken issue with the various ballot issue proposals and are inclined to support a more restrictive medical marijuana program in the state.

For example, Rep. Steve Huffman (R-Tipp City), a doctor and member of the House task force that wrapped up its work late last month, said he's opposed to letting patients and caretakers grow their own pot. He and others also prefer a statutory approach versus a constitutional amendment, so policy changes can be made more easily down the line. (See Gongwer Ohio Report, March 30, 2016)

Speaker Rosenberger reiterated his preference that groups working on ballot issues should instead work with a lawmakers on a plan.

"I take issue with a proposed ballot issue when the legislature's been going in and moving forward with the process," he said. "I think that's a good point that people don't really care about the process, they just care about making money somewhere."

Sen. Burke said he is looking forward to seeing the House's proposal.

"The House and Senate versions may look slightly different, but we're going to see how the House proceeds," he said. "Hopefully we will reach the same approach."

Sen. Burke said the public will play a key role in determining the product. "It's not about creeping special interests or using the word medical as a marketing term.

Sen. President Keith Faber (R-Celina) said it is too early to predict what the outcome of the issue might be.

"I think there's general support in the Senate to take some action before we adjourn in June," he said. "But what that action will be is still open for discussion."

The president said a number of issues are still at play, including whether legislation would include smokeables, create a database, how licenses would be awarded and what medical conditions would be included.

"All of those are factors that tilt the ball one way or the other," he said.

Campaign Announcement: Perhaps the most well organized group seeking a constitutional amendment for the November ballot has announced its campaign team.

Ohioans for Medical Marijuana, the group backed by Washington-based Marijuana Policy Project, named Brandon Lynaugh as its campaign manager.

Mr. Lynaugh served as the campaign manager for the group that worked defeat Issue 3, backed by the group ResponsibleOhio, which would have legalized medical and recreational marijuana and codified a select group of growers for the state.

"We're excited to have Brandon at the helm of our Ohio campaign," Rob Kampia, executive director of the Marijuana Policy Project, said in a statement. "His extensive experience with ballot issues and his history of standing up for Ohioans make him the right person to lead our team. He is committed to establishing a sensible, fair, and compassionate medical marijuana program that will benefit countless seriously ill Ohio residents."

Mr. Lynaugh is backing medical marijuana in part because he has a close family member who suffers from epilepsy, according to the group.

"I know that helpless feeling that families have when they watch someone they love have an epileptic seizure," he said in the news release announcing the campaign staff. "Passage of this amendment will help bring relief to the suffering of thousands of patients and their families. It's a personal issue for me and I would not turn down the opportunity to be a part of it."

Trevor Vessels, a Republican with more than 15 years of campaign experience, was named deputy campaign manager.

Aaron Marshall, a former *Cleveland Plain Dealer* reporter who most recently worked in communications at Ohio State University, was named director of communications.

Lee Roberts, a Democrat with a decade of campaign experience, including managing Columbus Mayor Michael Coleman's 2011 re-election campaign, was named political director.

The group is currently working to collect the 305,591 valid signatures needed by July 6 to put the issue on the November ballot after it was certified to contain a single amendment by the Ballot Board in March. (See Gongwer Ohio Report, March 31, 2016)

The Ohioans for Medical Marijuana amendment lays out a detailed regulatory structure for medical marijuana in the state, based on successful programs that have succeeded at the polls in other states. (See <u>Gongwer Ohio</u> <u>Report, March 1, 2016</u>)

The proposal might not be the only medical marijuana issue on the ballot in November. Grassroots Ohio, a separate group proposing a more open-ended amendment that would guarantee all citizens the right to marijuana for medicinal purposes, leaving the specifics of the infrastructure up to the legislature. It would also legalize industrial hemp. (See <u>Gongwer Ohio Report</u>, <u>April 7</u>, <u>2016</u>)

Summary language for the Grassroots Ohio proposal was certified by <u>Attorney General Mike DeWine</u> last week, and should come before the Ballot Board soon.

Administration Targets Opioid Abuse With Latest MBR Plan

Increased licensure requirements and broader access to anti-overdose medication are among proposals announced Tuesday as part of <u>Gov. John Kasich</u>'s plan to continue fighting drug abuse in the state.

The policy updates are to be contained in a Mid Biennium Review bill sponsored by <u>Sen. John Eklund</u> (R-Chardon). They were outlined at a Columbus news conference by key members of the governor's cabinet. (<u>Administration Fact Sheet</u>)

The package will include a Board of Pharmacy licensure requirement for facilities treat 30 or more individuals with Suboxone, which is often prescribed to wean addicts off of opiate dependence. The administration also proposes to require physician ownership of office-based opiate treatment clinics and background checks for their owners and employees.

Another new licensing requirement would apply to pharmacy technicians, who have accounted for more than a third of all drug theft cases investigated by the Pharmacy Board over the last three years.

"By requiring Ohio's estimated 42,000 pharmacy technicians to register with the Board of Pharmacy, Ohio can ensure uniformity in the background-check process and see to it that all technicians maintain a set level of competency through continuing education," the administration stated.

The opiate MBR would also impose new Board oversight of sole proprietors that distribute controlled substances to their patients. Certain medical doctors, veterinarians, dentists and other healthcare professionals in private practices are currently exempted from Board licensure in that regard.

Mr. Kasich also proposes to expand access to Naloxone, the opiate overdose antidote, to "facilities that regularly interact with high-risk individuals." These would include homeless shelters, halfway houses, schools and treatment centers, and the proposal would come with additional funds for local communities to purchase naloxone.

Dr. Mary DiOrio, medical director for the Department of Health, said in prepared remarks that the plan to allow the facilities access to naloxone without a distributor license from the Board would help save more lives.

"The quick use of naloxone during opiate overdoses is critical to saving lives. It is especially critical during overdoses involving fentanyl because of its toxicity," she said. "The time it takes for a first responder to arrive at the scene of a drug overdose can be the difference between life and death."

Hiring Bill Vote Delayed After Controversial Project Labor Agreement Amendment Fails To Materialize

House Republicans backed off a planned vote on a bill impacting local hiring practices Tuesday amidst disagreement over a controversial amendment targeting project labor agreements.

Majority GOP members of the State Government Committee were eying a PLA amendment to the measure (<u>SB</u> 152) aimed at prohibiting residency quotes in public projects - a move that would assuredly draw the ire of unions. (See <u>Gongwer Ohio Report, April 8, 2016</u>)

House Democrats reacted quickly, scheduling a press conference for immediately after the committee's meeting in which they promised to "detail problems with project labor agreements restrictions set for a fast-track vote" in

the committee.

But when the committee meeting came Tuesday morning, members fielded testimony on the bill but refrained from amending or voting the measure out of committee. Democrats then canceled their press conference.

Chairman Rep. Ron Maag (R-Lebanon) in an interview said the bill may move next week, but he didn't provide information on why the amendment wasn't offered or whether it will be added moving forward.

It was unclear whether there were enough votes in committee to move the amended bill to the floor.

Nevertheless, the chairman said the bill is "99.9% there."

"There's just a little bit more tweaking that needs to be done to the bill," he said. "We're going to move it as quickly as we can. We'll see what happens next week."

It's not the first time project labor agreements have been targeted. House-added language in the budget (<u>HB 64</u>), which was removed before passage, would have eliminated the process through which state-funded projects include a labor agreement requiring contractors to hire construction workers through local unions. (See <u>Gongwer Ohio Report</u>, <u>April 16</u>, <u>2015</u>) The SB152 amendment language is identical to the defunct budget provision, according to House officials.

Sen. <u>President Keith Faber</u> (R-Celina) noted Tuesday the PLA issue was discussed in the operating budget process, but no agreement was reached.

"If the House passes something, we'll take a look at what they did," he said. "And if it's put in a bill that comes back over here for concurrence, we'll have a vote on it. To concur or not concur."

Andrea Ashley, vice president of government relations for the Associated General Contractors of Ohio spoke in support of the bill Tuesday during the bill's fifth hearing. But she deviated from her written remarks in order to protest the pending PLA amendment.

"This bill now has been before committee for close to six months. Most of you have already voted for it once in HB 180 on the floor," she said. "We hope this committee does not make changes to the bill that could complicate its passage on the floor or out of this committee or even on Senate concurrence."

The bill was introduced in the Senate nearly one year ago. It passed the Senate 21-11 in June 2015. The longer the bill is held up in committee, she said, the more contractors miss out on work.

"Putting an end to residency quotas is too important a matter to cloud with controversial matters," Ms. Ashley said.

Her group continues to support the bill, however, with Ms. Ashely adding that such residency requirements discriminate against workers, limit competition and increase bid amounts.

"Any regulation that discriminates against Ohioans based on where they live provides a competitive advantage to out-of-state employers and workers, increases taxpayers' costs, hurts small businesses, and creates workforce concerns for Ohio employers is simply bad public policy," she said.

George Johnson, regional vice president for AFSCME Ohio Council 8, disagreed in his opponent testimony.

"The provision addressing residency requirements in Senate Bill 152 prohibits municipalities from using commonsense methods in helping curb unemployment and cuts in local government revenue that can be used to reverse the economic downturn that has hit all cities and counties in Ohio," he said. "It limits the opportunities and the rights of citizens and local elected officials to reduce its financial burden and turn it into an investment in the community."

He said it's also easier to track workers living within the areas for income tax purposes and background checks with such quotas in place, which can save employers money.

DODD Director Advocates For MBR, Defends Service Options

Department of Developmental Disabilities Director John Martin on Tuesday promoted agency changes included in a mid-biennium review bill, telling lawmakers that amendments responding to a recent lawsuit brought against the state are unnecessary.

The leader said the state has made great strides in reducing the number of individuals living in institutional settings in recent years, contrary to allegations made by Disability Rights Ohio in a lawsuit that names Mr. Martin and Gov. John Kasich as respondents. (See Gongwer Ohio Report, March 31, 2016)

It's for that reason that an MBR proposal (<u>HB 483</u>) that had its first hearing in the House Finance Committee does not focus on additional waivers for those who want to move into Intermediate Care Facilities or out of them and into community settings.

"We don't think particularly in this biennium that we need to be asking for more waivers because we feel it looks like (the ones we have have) are going to be sufficient," Mr. Martin said, referring to the 1,200 waivers created in the biennial budget (HB 64...).

Since the start of this fiscal year, 70 individuals have applied for ICF admission, he said. After receiving counseling provided by the agency, nine of those chose to apply for a waiver, of which 400 were added in the budget.

Of the 800 waivers available to those who want to leave ICFs, 150 have been allocated in the last nine months, Mr. Martin added.

"We think that when you look at the information we have in terms of the number of people in community versus institutional settings that Ohio is really doing a nice job and, like anything else, you can always do more and we think we're positioned fairly well," he said, noting that the state has jumped from a ranking of 48th highest in the country to 10th for its rate of institutionalization in the last decade.

Rep. Mark Romanchuk (R-Mansfield), who led DODD negotiations during the budget process, asked if there is an expected outcome to the DRO lawsuit and whether lawmakers should plan for that in the MBR.

Pointing to a similar and previous lawsuit with the group that took nearly two decades to resolve and resulted in a settlement that included adding less than half of the waiver slots that were added in the budget, Mr. Martin said making plans to accommodate it would be unnecessary.

"We think that we need to just keep continuing to do the work that we do and I guess the attorneys will fight it out in court, but we don't think there is anything that creates less or more exposure in what we're proposing," he told the panel.

Instead, the bill focuses on widening the role of caretakers and placing early intervention services for children under age three solely within the state agency. (See <u>Gongwer Ohio Report</u>, <u>March 3</u>, <u>2016</u>)

Registered nurses and individuals with higher certifications could delegate the administration of some medicines under the legislation. Such medications include over-the-counter items such as sunscreen and dandruff shampoo, as well as circulation hosiery, asthma inhalers and other items.

In order for direct service staff to administer certain medication or assist with healthcare activities, they must complete training and be observed by a delegating nurse, Mr. Martin said.

The list of nursing delegation items, which requires legislative action, hasn't been updated in more than a decade, he said. In the future, the agency plans to make needed changes every few years as part of the budget process.

The measure also puts DODD in charge of early intervention services for children ages 0-3. Currently, the agency works with the Department of Health to offer the services.

Rep. Barbara Sears (R-Maumee) said some of the same data is being collected for the home visiting program, which will still be run by ODH, and the intervention program. She asked how that information gathering can be streamlined and provided to other programs, such as Medicaid.

"I'm very supportive of you taking over (intervention services), I'm just concerned that if we don't proactively go into this coordinating, we end up with siloed information and that's not useful," she said.

Mr. Martin admitted that because the programs are "totally different," there is overlap in the data that's being collected for federal purposes. It will be important to ensure that the data gathering isn't further divided when DODD assumes responsibility of intervention services, he said.

Among other things, he said the MBR plan also streamlines targeted case management payments and permits DODD to request a repayment of money paid to ICFs that made plans to downsize as part of the two-year spending bill, but never did.

Senate Panel Moves Amended Firefighter Cancer Bill

Members of the Senate Insurance Committee voted unanimously on Tuesday to report a bill that provides firefighters disabled by specified forms of cancer the presumption that the disease was incurred through his or her work duties.

Under the measure (SB 27), the state's workers' compensation system would pay for the treatment of any firefighter with at least three years of hazardous duty who is diagnosed with cancer of the lung, brain, kidney, bladder, rectum, stomach, skin or prostate. The legislation would also cover non-Hodgkin's lymphoma, leukemia, multiple myeloma and testicular or colorectal cancer.

An amendment added by <u>Sen. Charleta B. Tavares</u> (D-Columbus) adds breast, cervical and uterine cancer to those already covered under the measure.

Sen. Tavares said her amendment responds to testimony indicating that those cancers are more common among female firefighters than those in the original version of the bill are among male firefighters. (See <u>Gongwer Ohio Report, April 5, 2016</u>)

The second amendment, offered by <u>Sen. Jim Hughes</u> (R-Columbus), excludes firefighters who continuously used tobacco products for 10 years or more from the presumption, and excludes those who are 70 or older.

Both amendments were requested by the Ohio Municipal League. Sen. Hughes said they were also supported by the Bureau of Workers' Compensation.

In written testimony on behalf of the Ohio Association of Professional Firefighters, Francesca Litow, an adjunct assistant professor at John Hopkins Bloomberg School of Public Health, told the committee that based on several studies it is clear that firefighters are at risk for many forms of cancer.

"When firefighters are diagnosed with cancer as a result of their job, they face a system that is stacked against them," she wrote. "In the absence of presumptive legislation, the firefighter has to shoulder the burden of proving that his or her cancer is work-related."

She wrote that burden often includes finding legal counsel and a health care provider who understand work-related disease, along with lengthy treatments that result in the loss of leave time and savings.

"These additional burdens should not be placed on firefighters when they develop cancers that studies have shown are clearly a result of their occupation," she continued.

Also in written testimony, Linda Minter, the wife of former Cambridge Fire Chief Bill Minter, told the committee that her husband, who died of cancer in 2013, spent much of his career fighting fires with subpar safety equipment that has only recently become available.

"The men/women when called to a fire would inhale toxic gases, asbestos, fumes and any other toxic material that would burn and was inhaled on the fire seen for hours," she wrote.

She asked the committee to support the bill "for all of the men and women who put their lives and health on the line every day to make sure that their neighborhoods are protected through their unselfish career efforts."

Opponents: 'Pastor Protection Act' Is Unnecessary, Clergy Already Not Forced To Marry Same-Sex Couples

Opponents of a bill designed to make sure pastors cannot be sued for refusing to perform marriages - such as same-sex marriages - that go against their religious beliefs, said the bill is unneeded and would make the state appear discriminatory.

The bill (HB 286), called the "Ohio Pastor Protection Act," wouldn't actually protect pastors in any way beyond what the First Amendment of the U.S. Constitution and Ohio's constitution already do, the Rev. Virginia Lohmann Bauman, senior pastor at St. John's United Church of Christ in Columbus, told the House Community and Family Advancement Committee Tuesday.

"As ordained clergy in the State of Ohio, I am empowered to perform marriages that are in accord with the teachings of my church," she said. "This right includes the ability to choose not to perform a marriage that would violate church teachings in my determination. I can even refuse to marry any couple that I faithfully determine just isn't ready for the responsibilities of marriage and family life, with no interference, or additional 'protection,' from the state."

Law already allows clergy to marry or refuse to marry whoever they want, she said. Catholic priests are not forced to marry Protestants, for example.

Rep. Ron Hood (R-Ashville) questioned why there was such opposition to the bill if it would not require anything or provide any new protections than were already in existing law.

"Why is it wrong for the state to protect clergy from a lawsuit that's motivated in any way to say, 'No you should be forced to marry two people?" he asked.

Rev. Bauman said she was concerned about the timing of the bill and that the effort behind it was discriminatory in nature in response to the U.S. Supreme Court ruling in *Obergefell v. Hodges* that legalized same-sex marriage.

Rep. Niraj Antani (R-Miamisburg) questioned whether pastors could be seen as agents of the state because they receive licenses through the Secretary of State's office to perform marriage ceremonies.

Rev. Bauman, who is also an attorney, said she believed religious protections still would prevail.

"I don't think this additional protection is at all needed," she said.

Alex Shanks, faith organizer for Equality Ohio, said the bill appeared designed to put LGBTQ people "in their place," and could have unintended consequences.

"Can a judge, who also happens to be ordained, deny to perform a civil marriage ceremony because of this law? The answer is unclear and could open the state to liability," he said.

Rabbi Yosef Zylberberg, of Temple Beth Israel Shaare Zedek in Lima, said the discussion of who a religious leader would or wouldn't marry is one that comes up when congregations are choosing their leaders, meaning the rabbi or pastor often reflects the views of the congregations. He also said he thought the bill was redundant.

"It is my understanding that under said amendment, no clergy can be compelled to marry anyone, gay, straight or otherwise, so this bill is an unnecessary and unwarranted attempt to legislate a matter already settled in U.S. legal precedent for reasons that have no legal basis," he said.

Rep. Hood asked why, even if it is redundant, he why oppose it if the bill would reassure pastors of their rights.

"There are those who have come to us as a legislative body that are concerned," he said. "They believe that they could be compelled through the threat of a lawsuit to marry a couple that they don't believe in their deeply held conviction they should marry."

"Why the amazing passion to stop state-granted immunity if the same argument is being made that it is not necessary?" he asked.

Rabbi Zylberberg said he felt the issue was a waste of the legislature's time.

Staff Concerned Debt Adjusting Bill Could Compromise Court's Authority On Unauthorized Practice Of Law

Legislation expanding the definition of debt adjusting to include providing services to debtors to reduce or eliminate the amount or repayment terms could interfere with the Ohio Supreme Court's "responsibility and authority to determine the unauthorized practice of law," a court official indicated.

In a letter to the Senate Financial Institutions Committee chair <u>Sen. Jim Hughes</u> (R-Columbus), Michael Farley, judicial and legislative affairs counsel for the high court, said language in the bill (<u>SB 226</u>) "will necessarily require a person conducting debt adjusting to make representations to creditors on behalf of third parties, advise persons of their rights as well as the terms and conditions of the settlement."

Although the bill contains language specifying that nothing in it should be construed as permitting the unauthorized practice of law, Mr. Farley added the language does not overcome the standard established by the court. The letter makes clear that it only reflects the opinion of the staff of the Ohio Supreme Court and not its justices.

The bill faces opposition from credit counseling professionals, who have called for a cap on fees that debt settlement companies can charge consumers.

Jade Durham, vice president for Trinity Debt Management, told the committee Tuesday that debt settlement companies "need to have similar, if not more, regulations placed upon them than the credit counseling industry has."

"If the bill was adopted as it is currently written, vulnerable Ohio consumers would be susceptible to exorbitant fees charged by settlement companies," she said. "My suggestion would be to place fee caps at 10 to 15% of the amount of debt forgiven, not the amount of debt owed. This would protect Ohio consumers and tied settlement fees to successful outcomes."

Ms. Durham noted that Colorado removed fee caps in 2011 and soon after settlement fees rose to as high as 25%.

Kevin Weeks, president of the Financial Counseling Association of America, also provided written opponent testimony. He, too, called for caps to be placed on the fees that debt settlement companies can charge consumers.

"The FCAA has historically agreed that debt settlement is a viable option for some consumers and that it should continue to be available; however, due to the ongoing potential for abuse of consumers by some debt settlement providers, we are opposed to any bill that doesn't ensure their protection," he said.

"Our opposition is based not only on the fact that, when settlement services are left unregulated, consumers save very little, but also on the fact that the marketplace has not and will not drive settlement companies to reduce consumer fees," he continued.

Dave Leuthold of American Fair Credit Council and Century Support Services told the committee that the legislation would provide Ohioans with another option to manage their debts.

"Currently the only two options available to Ohioans are filing for bankruptcy or entering into a consumer credit counseling program," he said. "For those looking to avoid bankruptcy, a credit counseling program is great for those consumers who can afford the required monthly payment."

Debt settlement programs, however, are beneficial to those who do not qualify for credit counseling programs or cannot afford to make the payments associated with those programs.

"Our required monthly payment is usually significantly lower than that required by credit counseling programs because we negotiate with each creditor so our clients are repaying only a portion of what they owe, because that is all they can afford to repay due to their more significant financial hardship."

Mr. Leuthold also addressed the concern that the services provided by debt settlement programs could constitute an unauthorized practice of law. He said Ohio is the first state in which the issue has been raised.

He said his organization is in agreement with <u>Sen. Bill Seitz</u> (R-Cincinnati) "that the ultimate decision on any suggestion of the unauthorized practice of law rests squarely with the Ohio Supreme Court and no one else."

Mr. Leuthold also noted that credit counselors seek to reduce interest rates and ask credit card companies to waive fees and reduce penalties.

"The only key difference is that debt settlement companies work to reduce the principal amount owed to the creditors."

Supporters Urge Passage Of Bill To Boost Penalty For Felony Offenses On Elderly, Disabled

Several people testified on Tuesday in support of a measure that would impose stiffer penalties on individuals who commit a felony against a disabled or elderly person.

Under the legislation (HB 38) a felony offenses against a disabled or elderly person would carry a specification requiring a mandatory prison term of two years.

"I have seen the most deviant among us take advantage of the weak and helpless. I know that those who would stoop to take level are extra deserving of punishment above what the government currently has in place," Diana King told the committee.

Diane Howard echoed those sentiments.

"The laws should be stiffer so that the elderly and people with disabilities don't become victims of abuse in any of it forms," she said. "But because we know that abuse happens, the crimes should have longer terms of incarceration."

Cynthia Norwood, executive director of The Arc of Greater Cleveland, also provided written testimony in favor of the bill.

"To seek justice by imposing a mandatory additional two year prison term for any felony offense in which the victim is elderly or disabled is a noble and just action of this legislative body," she said. "The benefits to our communities would be felt by every Ohio citizen."

"To not do so is to allow offenders of our most vulnerable citizens to continue to get away with minimal impact when committing crimes against those we are charged to care for and about," she added. "Passage of this bill lets offenders know these conspicuously offensive violations will come with serious consequences."

The bill would also apply the same penalty to youth offenders to be served through the Department of Youth Services, a provision opposed by the Juvenile Justice Coalition.

Ernie Davies, executive director of the organization, told the committee that the bill "may actually harm public safety at an enormous taxpayer expense, while decreasing the goal of the juvenile justice system to help get youth on the right path."

She went on to tell the committee that research has shown incarcerating juveniles to be both ineffective and expensive.

Ms. Davies also said mandatory specifications are not in line with the individualized nature of the juvenile court system.

"The juvenile system was designed to recognize the fundamental developmental differences between youth and adults and focus on getting youth on the right path as early as possible," she said. "One of the basic principles of juvenile court is that accountability must be tailored for each individual youth to decrease the likelihood of reoffending and ensure that the youth is on the right track."

Youth, she said, are also less likely to be deterred, noting that "many of the hallmarks of adolescent development go against the theory of general deterrence as youth are more likely to be impulsive."

Governor's Appointments

Franklin County Municipal Court: Jodi L. Thomas of New Albany (Franklin Co.) will assume office April 29 and must run in November 2017 to retain the seat for the remainder of the unexpired term ending Dec. 31, 2019. She replaces Judge Scott D. VanDerKarr, who resigned.

Ms. Thomas received her bachelor's degree from The Ohio State University and her juris doctorate from Capital University Law School. She has served in the Franklin County Public Defender's Office since 2006.

Cleveland Municipal Court: Janet Rath Colaluca of Cleveland (Cuyahoga Co.) is expected to assume the bench in early May and must run in November 2017 to retain the seat for a full term commencing Jan. 2, 2018. She will replace Judge Angela R. Stokes, who retired.

Ms. Colaluca received her bachelor's degree from John Carroll University and her juris doctorate from the Cleveland Marshall College of Law. She has served as magistrate for the Cuyahoga County Court of Common Pleas since January 2015.

State Dental Board: Dr. Ashok Das of Mason for a term beginning April 11, 2016 and ending April 6, 2020, Dr. Burton W. Job of Akron for a term beginning April 11, 2016 and ending April 6, 2018 and Dr. Billy J. Anderson Jr. of Findlay for a term beginning April 11, 2016 and ending April 6, 2019.

Board of Embalmers and Funeral Directors: Jon W. Rettig of Columbiana for a term beginning April 11, 2016 and ending June 30, 2020.

Supplemental Agency Calendar

Thursday, April 14

Ballot Board, Finance Hearing Room, Statehouse, Columbus, 10:30 a.m. (Review of Medicinal Cannabis and Industrial Hemp Amendment)

Wednesday, April 20

State Personnel Board of Review, 65 E. State St., 12th Fl., Columbus, 10 a.m.

Thursday, April 21

State Employment Relations Board, 65 E. State St., 12th Fl., Columbus, 10 a.m.

Wednesday, May 4

State Personnel Board of Review, 65 E. State St., 12th Fl., Columbus, 9:30 a.m.

Supplemental Event Planner

Wednesday, April 13

Rep. Heather Bishoff (D-Blacklick) and State Sen. Edna Brown (D-Toledo) news conference on health insurance mergers, George Washington Williams Room, Statehouse, Columbus, 10:30 a.m.

17 S. High St., Suite 630 Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

<u>Scott Miller</u>, President | <u>Alan Miller</u>, Vice President | <u>Kent Cahlander</u>, Editor | <u>Melissa Dilley</u>, <u>Mike Livingston</u>, <u>Dustin Ensinger</u>, <u>Jon Reed</u>, Staff Writers

Click the after a bill number to create a saved search and email alert for that bill.

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Daily Activity Planner for Wednesday, April 13

Legislative Committees

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), South Hearing Rm., 8:45 a.m.

HBBLIGHTED PROPERTY FORECLOSURES (Grossman, C., Curtin, M.) To establish summary actions to 134 foreclose mortgages on vacant and abandoned residential properties, to expedite the foreclosure and transfer of unoccupied, blighted parcels, to make other changes relative to residential foreclosure actions, and to terminate certain provisions of this act on December 31, 2019, by repealing sections 3767.51, 3767.52, 3767.53, 3767.54, 3767.55, and 3767.56 of the Revised Code on that date. (1st Hearing-Sponsor)
 HBARCHITECTS (Schaffer, T.) To make changes governing the architects board and the landscape architects 243 board regarding continuing education requirements. (3rd Hearing-All testimony-Possible vote)
 SB CIVIL ASSET FORFEITURE (Jordan, K.) To eliminate civil asset forfeiture proceedings and to modify 236 the law governing criminal asset forfeitures. (3rd Hearing-Opponent)

Senate Health & Human Services (Committee Record) (Chr. Jones, S., 466-9737), North Hearing Rm., 9 a.m.

<u>HB</u>EPINEPHRINE ACCESS (<u>Hagan, C.</u>) To permit epinephrine autoinjectors for which no prescriptions have 200 been written to be stored and accessed for use in case of emergency. (1st Hearing-Sponsor)

<u>SB</u> <u>SEXUAL ORIENTATION CHANGES (Tavares, C.)</u> To prohibit certain health care professionals from engaging in sexual orientation change efforts when treating minor patients. (1st Hearing-Sponsor)

<u>HB</u> AWARENESS DAY (Sheehy, M., Patterson, J.) To designate February 17th as "Annie Glenn

431 Communication Disorders Awareness Day." (1st Hearing-Sponsor)

<u>HB MENTAL HEALTH EXAMINATIONS (Ruhl, M.)</u> To authorize certain advanced practice registered <u>217</u> nurses to have a person involuntarily transported to a hospital for a mental health examination. (1st Hearing-Sponsor)

<u>SB</u> WATER QUALITY (<u>Skindell, M.</u>) To establish requirements and procedures pertaining to levels of <u>114</u> microcystin in public water systems. (1st Hearing-Sponsor)

<u>SB MALNUTRITION (Manning, G.)</u> To create the Malnutrition Prevention Commission to study malnutrition <u>245</u> among older adults. (2nd Hearing-All testimony)

<u>SB</u> AWARENESS DAY (<u>Bacon, K.</u>) To designate the first day of June as "Hypoparathyroidism Awareness <u>225</u>Day." (2nd Hearing-All testimony)

HBMONTH DESIGNATION (Johnson, T.) To designate April as "Osteopathic Medicine Recognition Month." 352(2nd Hearing-All testimony)

House Health & Aging (Committee Record) (Chr. Gonzales, A., 466-4847), Rm. 116, 9:30 a.m.

HBTRAUMA SYSTEM (Grossman, C., Huffman, S.) To establish the State Trauma Board in the Ohio
 261Department of Health, to require that facilities that provide trauma care be designated by the Board as level I, II, or III trauma centers, and to provide that the amendment by this act to section 101.82 of the Revised Code terminates on December 31, 2016. (6th Hearing-All testimony-Possible substitute & vote)
 HBCHIROPRACTORS (Schuring, K.) To authorize chiropractors to engage in certain activities involving
 276nutrition-related items and therapies, nonprescription drugs, and medical goods and devices. (4th Hearing-

=

All testimony-Possible substitute & vote)

<u>HB</u>FETAL REMAINS (<u>McColley, R., Koehler, K.</u>) Regarding final disposition of fetal remains from abortions. 417(4th Hearing-Opponent-Possible substitute & vote)

<u>HB</u>FETAL REMAINS (Sears, B., Ginter, T.) Regarding the disposition of fetal remains from abortions. (6th 419 Hearing-Opponent-Possible substitute & vote)

<u>HBAWARENESS DAY (Pelanda, D.)</u> To designate September 26 as "Diffuse Intrinsic Pontine Glioma 411 Awareness Day." (2nd Hearing-All testimony-Possible vote)

House Financial Institutions, Housing & Urban Development (Committee Record) (Chr. Terhar, L., 466-8258), Rm. 113, 9:30 a.m.

HBATTORNEY'S FEES (<u>Dever, J., Patterson, J.</u>) To make permissive actual damages and attorney's fees, to <u>149</u>limit certain civil penalties, to allow respondents to recover attorney's fees in certain instances, and to exempt certain landlords from the housing provisions of the Ohio Civil Rights Law. (4th Hearing-Possible substitute)

<u>HBSENIOR HOUSING (Barnes, J.)</u> To enact the "Senior Housing Relief Act" to prohibit the sale of delinquent <u>418</u>property tax certificates for homesteads owned for at least 20 years by a person aged 65 or older. (1st Hearing-Sponsor)

HBMORTGAGE FORECLOSURES (<u>Dever, J.</u>) To establish expedited actions to foreclose mortgages on 463 vacant and abandoned residential properties, to permit private selling officers to conduct judicial and execution sales of real property, to state the intent of the General Assembly regarding mortgage foreclosure actions, to revise the Commercial Paper Law relating to mortgages and lost instruments, and to make other changes relative to foreclosure actions. (1st Hearing-Sponsor)

House Education (Committee Record) (Chr. Brenner, A., 466-6711), Rm. 313, 9:30 a.m.

HBMONTH DESIGNATION (<u>Leland</u>, <u>D</u>.) To designate the month of October as "Ohio Principals Month." <u>382</u>(1st Hearing-Sponsor)

HBWEEK DESIGNATION (<u>Patterson</u>, <u>J.</u>) To designate the week prior to the week of Thanksgiving Day as 438"Ohio Public Education Appreciation Week." (1st Hearing-Sponsor)

HBFINANCIAL LITERACY (Hagan, C., McColley, R.) To require one-half unit of economic and financial 383 literacy in the high school social studies curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each state institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." (3rd Hearing-Proponent)

HBHIGHER ED TEXTBOOKS (DeVitis, T.) With regard to the selection, availability, and purchase of 160 textbooks that are required for a course offered by any state institution of higher education. (1st Hearing-Sponsor)

Senate Ways & Means (Committee Record) (Chr. Peterson, B., 466-8156), South Hearing Rm., 9:30 a.m.

HB TAX LAWS (Green, D.) To extend the deadline for filing an application for the homestead exemption or 2 1/2% property tax rollback to the end of the tax year, to require that auditors certify Local Government Fund allocations to subdivisions by regular or electronic, rather than certified mail, to require that notices of appeal from a decision of the Board of Tax Appeals originating with a county board of revision be filed with that board and the county auditor, to clarify the effect of certain certifications related to the repealed personal property tax, and to repeal laws requiring county auditors to issue permits for traveling shows, issue licenses for new merchandise public auctions, certify the annual state tax interest rate to local courts. (1st Hearing-Sponsor)

<u>HCRMUNICIPAL BONDS (Sprague, R.)</u> To urge the President of the Unites States to preserve the tax-exempt status of municipal bonds. (1st Hearing-Sponsor)

SB AGRICULTURAL LAND (Hite, C.) To require that the computation of the capitalization rate for the

246 purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup and to stipulate that CAUV land used for a conservation practice or

- enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type. (2nd Hearing-Proponent)
- **SB** TAX PAYMENTS (Eklund, J.) To revise the law governing how taxes on income from pass-through
- entities is to be reported and paid by the entities and their investors. (2nd Hearing-Proponent-Pending referral)
- **SB** PROPERTY TAXES (Beagle, B., Coley, B.) To exempt from property tax the increased value of property
- on which industrial or commercial development is planned until construction of new commercial or industrial facilities at the property commences. (4th Hearing-All testimony-Possible amendments & vote)

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.

Senate Criminal Justice (Committee Record) (Chr. Eklund, J., 644-7718), North Hearing Rm., 11:15 a.m.

<u>HBIMPORTUNING</u> (<u>Schaffer, T., Smith, K.</u>) To amend the penalties for the offense of importuning. (1st <u>405</u>Hearing-Sponsor)

SB DRUG VOLUME (LaRose, F.) To provide that five milligrams or more of fentanyl or an amount equal to or 237 exceeding one gram of a compound, mixture, preparation, or substance that contains any amount of fentanyl and that is not in a final dosage form manufactured by an authorized manufacturer constitutes a bulk amount for purposes of the laws governing drug offenses, to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse, and to add lisdexamfetamine to the list of schedule II controlled substances. (2nd Hearing-Proponent)

HBRECORD SEALING (Pelanda, D., Rogers, J.) To allow a person who is convicted of an offense that may 164 not be sealed to apply to have the conviction sealed if, before the person makes that application, the offense is changed so that it may be sealed. (3rd Hearing-All testimony)

House Rules & Reference (Committee Record) (Chr. Amstutz, R., 466-1474), Rm. 119, 1:15 p.m.

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 2:30 p.m. or after session

• 2nd Hearing-All testimony-Pending introduction & referral of capital appropriations bill.

Senate Civil Justice (Committee Record) (Chr. Bacon, K., 466-8064), North Hearing Rm., 2:30 p.m. or after session

<u>SB</u> COURT PROCEEDINGS (<u>Seitz</u>, <u>B.</u>) To enact the Uniform Interstate Depositions and Discovery Act. (3rd <u>171</u>Hearing-All testimony-Possible vote)

SB BICYCLE HELMETS (Jones, S.) To generally require any person under sixteen years of age to wear a 157helmet while on a bicycle, to require bicycle rental businesses to inform any person under sixteen years of age who rents a bicycle of this requirement and provide helmet rentals, and to provide limited civil immunity for bicycle rental businesses that comply with these requirements. (2nd Hearing-Proponent)

SB CHILD SUPPORT (Jones, S.) To make changes to the laws governing child support. (1st Hearing-Sponsor) 262

<u>SB</u> EMPLOYMENT LAW (<u>Seitz</u>, <u>B.</u>) To modify Ohio civil rights laws related to employment and the statute <u>268</u> of limitations for other specified claims against an employer. (1st Hearing-Sponsor)

<u>HB</u>CCW LICENSES (<u>Terhar</u>, <u>L</u>.) To waive the concealed carry license fee for active members of the armed <u>235</u> forces and retired and honorably discharged veterans and to accept military experience with firearms as proof of competency with firearms regardless of when the applicant for a license acquired the experience. (1st Hearing-Sponsor)

Joint Legislative Study Committee on Victims' Rights (Chr. Coley, B., 466-8072), South Hearing Rm., 3:30 p.m. or after session

Veterinary Medical Licensing Board, Room 1914, 77 S. High St., Columbus, 8:30 a.m.

Southern Ohio Agricultural & Community Development Foundation, Ohio State University's South Centers, 1864 Shyville Road, Piketon, 9:30 a.m. (Economic Development Regional Review Committee)

State Audit Committee, 35th Fl., 30 E. Broad St., Columbus, 10 a.m.

Venture Capital Authority, 77 South High Street, Room 1960, Columbus, 1 p.m.

Event Planner

Housing Ohio 2016 Conference, Sheraton Downtown Columbus, 75 E. State St., Columbus

Ohio Library Council Legislative Day, Statehouse, Columbus, (The Toledo-Lucas County Public Library's Mobile Technology Lab will be parked and available for tours on the Third Street side of the Senate Bldg. from 9 a.m. to 2 p.m.)

Immunization Advocacy Day at the Ohio Statehouse

Discovering Cures Biosimilar breakfast briefing, Sheraton Columbus at Capitol Square, 75 E. State St., Columbus, 7:30 a.m., (RSVP: dapp@discoveringcurescoalition.com)

Freedom of Choice Ohio's Annual Advocacy Day, Trinity Episcopal Church, 125 E. Broad St. & Statehouse, Columbus, 9:30 a.m.

Rep. Heather Bishoff (D-Blacklick) and State Sen. Edna Brown (D-Toledo) news conference on health insurance mergers, George Washington Williams Room, Statehouse, Columbus, 10:30 a.m.

Ohio Library Council news conference on ROI report, Ladies Gallery, Statehouse, Columbus, 11 a.m.

Rep. Niraj Antani (R-Miamisburg) & Rep. Bob Cupp (R-Lima) fundraiser, Oliver's, 26 N. High Street, Columbus, 11 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Niraj Antani)

Rep. Al Landis (R-Dover) & Rep. Brian Hill (R-Zanesville) fundraiser, Chintz Rm., 121 S. High St., Columbus, 11:30 a.m., (\$1,000, \$500 or \$350 to Friends of Allen Landis and/or Hill for State Representative)

Ohio United Way Legislative Luncheon, Statehouse Atrium, Columbus, 11:30 a.m.

Ohio Council of County Officials' Legislative Reception, Statehouse Atrium, Columbus, 5 p.m.

House Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Capital Club, Cardinal Room, 41 S. High Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Committee to Elect Cliff Rosenberger)

Senate President Keith Faber (R-Celina) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 E. Broad St., Columbus, 5 p.m., (Host: \$2,500; Spondor: \$1,000; Individual attendee: \$500 to Friends of Faber)

17 S. High St., Suite 630 Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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House Activity for Tuesday, April 12, 2016

INTRODUCED

<u>HB</u>JURY DUTY (<u>Gonzales</u>, A.) To permit a prospective juror who is a mother who is breast-feeding her baby 513 to be excused from jury service. Am. 2313.14.

<u>HBHEALTH CARE PROFESSIONALS (Sykes, E.)</u> To require certain health care professionals to complete <u>514</u> instruction in cultural competency. En. 4743.08.

HBFIREWOOD SALES (Patterson, J., Cera, J.) To exempt from sales and use taxation the bulk sale of 515 firewood and certain other heating fuels, and to reimburse the Local Government Fund and Public Library Fund and county and transit sales tax collections for the resulting revenue losses. Am. 131.51 and 5739.02 and to enact sections 5739.212 and 5741.033.

PASSED

SB AWARENESS MONTH (Beagle, B.) To designate June as "Scleroderma Awareness Month."

133
93-0

Gongwer Coverage

HB MURDER SENTENCING (Maag, R.) To change the sentence for aggravated murder.

57 ■ 83-11

Gongwer Coverage

HB HUNTING (Green, D.) To allow an individual on active military duty, while on leave or furlough, to hunt deer or wild turkey without procuring a deer or wild turkey permit.

93-0

Gongwer Coverage

COURT JURISDICTION (Craig, H., Grossman, C.) To specify the jurisdiction of municipal and county courts over municipal traffic ordinances and to establish requirements governing fines, fees, or other charges for traffic violations and infractions imposed by a municipal corporation that does not have the authority to establish a mayor's court.

95-0

Gongwer Coverage

SCR DIABETES RESEARCH (Balderson, T., Gentile, L.) To urge the United States Congress to increase federal funding for research and development involving advanced medical technology used in the treatment of type 1 diabetes.

80-14

Gongwer Coverage

CALENDAR FOR COMING SESSION

HB CPR TRAINING (Grossman, C., Manning, N.) To require instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator as a requirement for high school graduation.

Wednesday, April 13

<u>HB</u> RELIGIOUS EXPRESSION (<u>Hayes, B.</u>) Regarding student religious expression.

<u>425</u>

Wednesday, April 13

<u>HB</u> AWARENESS MONTH (<u>Baker, N.</u>) To designate March as "Fibromuscular Dysplasia Awareness Month."

434

Wednesday, April 13

ADOPTED

HR 366. (Rosenberger). Relative to the election of Bill Dean to the 74th House District. VOTE: 58-0 (Republicans only)

HOUSE SPEAKER'S APPOINTMENTS

State Government Committee: Remove Rep. Young, appoint Rep. LaTourette

COMMITTEE HEARINGS

State Government

HBTRANSPORTATION LAWS (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise 341 the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law. (CONTINUED-AMENDED; 4th Hearing-All testimony-Possible amendments)

The committee adopted an amendment that makes several changes to the bill - recommendations that sponsor Rep. Young said emerged from a series of productive interested party meetings.

"When we left that table, everyone had bought into this," Rep. Young said of the amendment. "So I do believe we have a workable product here."

Andy Herf of the Association of Professional Towers of Ohio lobbied for the amendment's adoption. He said it makes several changes, including in part:

- --Striking language requiring police tow companies to remain open all night, the rationale being that no one will attempt to access the car during the night in cases of abandoned or wrecked vehicles on in cases in which the driver has been arrested.
- --Specifying that the "first day of storage" for the vehicle owner is the day of towing, but the first day for the lienholder will be the day upon which the notification is sent to the lienholder.

-4

--Cutting the number of days in which a tower must notify the owner of towing from the bill's current eight days to five days.

Dean Fadel spoke on behalf of the Ohio Insurance Institute, which is an interested party on the bill. He advocated for amending the bill to create a Towing and Quick Clear Board to ensure towing operations and vehicle releases are conducted properly.

"We believe the creation of this board is a long overdue protection," he said. "It should facilitate the timely release of a vehicle from a storage facility and also provide a forum we all should hope weeds-out those few tow truck operators who give the entire industry a black eye."

Rep. Perales questioned why the group is an interested party when Mr. Fadel's testimony seemed generally supportive of the bill. Mr. Fadel replied that the group would be a proponent if the amendment in question was adopted.

James Chilcoat, representing the Automotive Service Association of Ohio, applauded the bill, saying it "will help shop owners address the costly problem of unclaimed vehicles. The creation of the 'salvage title' process will be especially helpful, as it will create a low-cost solution to remove vehicles that are inoperable and of very low value."

HB DAY DESIGNATION (Romanchuk, M., Amstutz, R.) To designate February 3 as "Charles Follis Day." 449 (CONTINUED; 1st Hearing-Sponsor)

Reps. Romanchuk and Amstutz, in sponsor testimony, briefly recounted the life of Charles Follis, a Wooster football star in 1901.

"During an era when Ohio was still struggling with how to recover in the shadow of the Civil War and wrestling with racism and tolerance issues, Charles stood out among men through the brotherhood of sports and made an impression on all who encountered him," Rep. Romanchuck said.

Rep. Amstutz called Mr. Follis' story "fascinating," adding that the man started the first Wooster High School football team, which went undefeated that year. The school's football field is named in his honor.

SB CONTRACTOR LABOR (<u>Uecker, J.</u>) To prohibit a public authority from requiring a contractor to employ 152 a certain percentage of individuals from the geographic area of the public authority for the construction or professional design of a public improvement. (CONTINUED (See separate story); 5th Hearing-All testimony-Possible amendments & vote)

SB DAY DESIGNATION (Hughes, J.) To designate August 7 as Ohio Purple Heart Day. (REPORTED; 2nd 239 Hearing-All testimony-Possible vote)

The committee reported the bill, following the receipt of three pieces of spoken and written proponent testimony.

Among witnesses was Thomas Beck, a Korean War veteran and member of the Military Order of the Purple Heart.

"There is no better way to honor and remember those men and women who paid the supreme price protecting our freedoms than to dedicate one day each year, Purple Heart Day, to recognize and give tribute to them," Mr. Beck told the committee. "This is also a way to say 'thank you' and to pay honor to their families."

Submitting written proponent testimony were Clifford Riley of the Vietnam Veterans of America Buckeye State Council, and Kenneth Marcum of the Department of Ohio, Disabled American Veterans.

HCR EDUCATION ACT (McColley, R.) To urge the United States Congress to pass the ADA Education and Reform Act of 2015. (CONTINUED; 2nd Hearing-Proponent)

A handful of groups supported the resolution, which would urge Congress to pass updates and reforms to the Americans with Disabilities Act. Proponents said the act would enable property owners to correct alleged minor ADA infractions before facing lawsuits they said are sometimes frivolous.

Herb Tyson, vice president of state and local government relations of the International Council of Shopping Centers, said he understands concerns from those skeptical of making changes to a "hallmark civil rights bill."

But he said the current law leaves businesses open to "drive-by litigation."

"To protect the integrity of the ADA, we must recognize, admit, and rectify legal abuse when it occurs," Mr. Tyson said. "The ADA is abused when it becomes centered upon financial gain solely by attorneys bringing suit under the law."

Kelly Casto, asset manager and broker for CASTO, said that in less than two years the company has been involved in eight lawsuits filed by the same person alleging ADA violations.

"If the information of the alleged violation was relayed to us with specific detail, we could actually determine if there was a problem and make all efforts to correct the error immediately," she said. "Unfortunately, the goal of these lawsuits appears not to be to fix violations but for financial gain by third parties other than the plaintiff."

Lori Bongiorno of M+A Architects said even existing properties, where ADA compliance requirements are vague or up for interpretation, are exposed to lawsuits.

"I have been working on ADA related legislation for several years now after several experiences with clients where it became clear that we can do everything right, yet the client is still exposed to lawsuits, thus we are exposed to lawsuits," she said.

Submitting written proponent testimony were the Ohio Council of Retail Merchants, the Ohio Grocers Association, the Ohio Restaurant Association, and the NFIB.

Subscribers Note: For full testimony see the <u>committee's website</u> under April 12.

Local Government

HBANNEXATION (Henne, M., Butler, J.) To provide that, beginning five years after a type-II annexation is 302 approved, the annexed territory is subject to a fire, police, or EMS tax levy only if the levy is imposed by the subdivision that provides the fire, police, or EMS service to the territory. (CONTINUED; 3rd Hearing-Opponent)

Township representatives spoke against the bill, saying it would reduce their funding for services they often provide to areas that have been annexed by municipalities through type-II annexations.

The type-II annexations came out of a compromise in 2001 between townships and municipalities regarding an expedited annexation process, said Matthew DeTemple, executive director of the Ohio Township Association. Those properties are considered to be both in the municipality and in the township, and the people who lived there would be able to vote in both the city and township.

Mr. DeTemple said he wasn't sure the state was allowed to terminate a fire, police or other levy after a set number of years in one area if it was still effective indefinitely in others.

Chris Dole, a trustee of Crosby Township in Hamilton County, said part of the township was annexed into the city of Harrison years ago. That property used to be farmland, but has now been built into homes. Because their fire department is the closest to that property, they often answer the fire calls instead of the city's fire department.

"The fire dispatch is now GPS-based," he said. "This means that the firehouse closest to the fire makes the run. As stated earlier our firehouse is within one mile of the annexed area (Harrison 4 miles). We will always make

the run unless tied up with another run. On the EMS side it is on a back-up basis but we still make numerous runs."

If the township isn't able to raise revenue from those new higher-density properties through levies, it could have to cut back on its mutual aid commitments or create a fire district that excludes the part of the township that was annexed into Harrison, he said.

Barry Tiffany, the township administrator for Sugarcreek Township in Greene County, said his township has spent \$600,000 in legal fees over a type-II annexation in the past decade, and between the township, the city of Centerville and a developer involved in lawsuits over the property, the total in legal fees is near \$2 million.

The type-II annexation process, he said, isn't working.

"It's not getting done what it was intended to do, which was to expedite the process," he said. "Yes it's being expedited, but then we're continuing to fight it."

He said a TIF the city placed on the property meant the township wasn't getting tax revenue even though it provided services for the area.

The township has considered organizing a fire district to cut that area out of fire coverage because the township doesn't receive the tax money to pay for it, but the developer on the property has sued.

The current law does allow townships and cities to work together through economic development entities.

"There's an opportunity to negotiate this on the front end," he said. "That's not happening. Cities are not using that tool to resolve these issues in advance."

HBEXECUTIVE SESSION (Brinkman, T.) To add to the purposes for which a board of township trustees may 413go into executive session, to permit a township to charge for recycling services, to reduce the population threshold for a township to adopt a limited home rule form of government, to authorize a township to purchase, lease, or provide underwater rescue and recovery equipment for fire and rescue purposes, to authorize boards of township trustees to pay for group life insurance for any employee, to make other changes to the township laws, to allow taxing units to use the proceeds of a fire, police, or emergency services tax levy to pay costs related to the service for which the tax is levied, and to expand the public infrastructure improvements townships, municipal corporations, and counties may pay for using money from their public improvement tax increment equivalent funds. (REPORTED-AMENDED; 4th Hearing-All testimony-Possible amendments & vote)

Before unanimously voting to report the bill, the committee adopted two amendments. The first addressed the topic of township cemeteries, and would allow the townships to use levy funds designed for cemetery maintenance to include mausoleums. The second would allow townships to file property tax liens for delinquent garbage collection fees.

HB BOARDING SCHOOL ZONE (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (CONTINUED; 2nd Hearing-Proponent)

Tim Viands, the headmaster of Grand River Academy in Ashtabula County, said his school's campus is divided by a street, but existing school zone regulations don't allow for a school zone to lower the speed limit during times boarding school students would be crossing the street. Those times are different for schools whose students live on campus, he said.

"We have our students crossing the street all times of the day, all times of the night unless they're sleeping," he said.

Rep. Boose asked how the community felt about it. Mr. Viands said the bill would leave the decision up to the local government, in this case the township trustees. He said he believed neighboring residents along the same road would also support the school zone.

"The community as a whole understands this, I feel," he said.

Dan Dodd, executive director of the Ohio Association of Independent Schools, said there are very few boarding schools in Ohio and only a few that have a street going through them. The bill is permissive, meaning it doesn't force any community to do anything it doesn't want to do.

"By no means is this something that is going to be a huge issue throughout a bunch of communities in Ohio," he said.

HBPOLICE DISTRICT (Hagan, C., Sprague, R.) To establish a joint police district, to modify the membership 462 of a joint police district governing body, to expand the offense of solicitation to also apply to a person who agrees with another to engage with the other person in sexual activity for hire, to provide that the "prescription exemption" from the drug possession offenses does not apply to a person who uses more of the drug than the maximum prescribed amount per day or the maximum amount to be used within the prescription timeline or who administers or takes the drug in a manner not prescribed by the prescribing health professional, and to provide immunity from civil liability to a peace officer who administers naloxone to a person who is apparently experiencing an opioid-related overdose. (CONTINUED; 2nd Hearing-Proponent)

Law enforcement officers from around the state spoke in support of the bill, which would make a number of changes affecting them.

Capt. John Jenkins with the Alliance Police Department testified in support of part of the bill that would change the state's law regarding soliciting for prostitution, allowing officers to arrest someone who agrees to engage in an act of prostitution, not just someone who explicitly solicits.

As it stands now, prostitutes know not to explicitly say anything first because they have to be the ones to solicit. By not mentioning anything illegal, they can check to see if someone is an officer.

"Under current law, if police mention the act or money, we are doing the soliciting, and cases are thrown out in court," he said. "The proposed wording change would allow undercover officers to mention the act, or money, without having cases dismissed. I have no clue how many potential trafficking victims we have missed because we could not begin a case due to the 'law enforcement check.' However, just one would still be too many."

Making it easier to arrest prostitutes allows law enforcement to better combat human trafficking, he said.

"Our goal with this wording change is not to simply arrest more prostitutes, but to be able to initiate more investigations into human trafficking, and to get more victims the assistance that they need," he said. "Before an arrest, the person is usually unwilling to discuss their situation with police. Once they are in custody however, they often will discuss with police the situation they are in, and provide information on the person or persons who are trafficking them for sex, and the details of that operation."

Rick Minerd, the chief deputy of the Franklin County Sheriff's Office, testified in support an element of the bill that would provide law enforcement officers with civil immunity when administering the drug naloxone to reverse opioid overdoses.

The bill would expand on past legislation that allowed law enforcement officers to carry and administer the lifesaving drug, he said. That bill provided them with protection from criminal prosecution and administrative action, but did not provide immunity from civil liability. That bill did provide that civil immunity to medical professionals, he said.

The lack of civil immunity and the possibility of lawsuits is one reason why the sheriff in Franklin County stopped the administration of naloxone, Chief Deputy Minerd said.

He compared it to the legal protections deputies have to use firearms in the line of duty.

"Why shouldn't we have civil liability for naloxone to also save a life of someone recovering from addiction?" he said.

The bill would also allow municipalities that don't share a border to form police districts, as they can currently form fire districts. Sgt. Michael Balash, with Magnolia Police Department, said that change would help his department fight funding problems.

His department serves a community that's divided over three counties: Carroll, Stark and Tuscarawas. One school district services four townships and three villages, he said, but the police department can't form a district to cover all of them because they don't all touch.

"The Village of East Sparta is not contiguous with The Village of Magnolia or Sandy Township," he said. "The approximate three miles that separate our geographical borders means we can't put a consolidated levy before the voters that represents a millage that is fair for everyone. The inability to form a police district restricts our ability to compete for grants based on population and median income. It weakens our purchasing power and forces us to spend money on duplication of services."

The department is small as a result of funding shortages, even though the community has grown and crime rates have increased, he said.

"We think any two municipalities with legislative authority should have the option to consolidate lawenforcement resources," he said. "I suspect there are small, and perhaps large, communities statewide struggling with funding for police services."

Government Accountability & Oversight

HBSTUDENT TRUSTEES (Antani, N., Stinziano, M.) To grant student members of the boards of trustees of 183 state universities and the Northeast Ohio Medical University voting power and the authority to attend executive sessions. (CONTINUED-SUBSTITUTE; 3rd Hearing-All testimony-Possible substitute)

The substitute version of the bill would allow universities to decide whether to grant student trustees voting privileges, a change that garnered the support of the Inter-University Council of Ohio.

Mike Suver, IUC's vice president of government relations, said in written testimony that his group now supports the bill because it will provide universities with the flexibility to decide if they want to grant student trustees voting power.

He said the bill is "an opportunity to more fully engage in the governance process some of our best and brightest students, recognizing in their service the value they add to the administration of the institution, and knowing that, as fiduciaries, they will serve the best interest of the university."

Mr. Suver did, however, note that implementation of the policy could present some challenges due to potential conflicts of interest for those members who are granted voting privileges.

"If students are accorded the full rights of trustees, they assume the responsibilities of trustees, again, formally making them fiduciaries of the institutions on behalf of all the citizens of Ohio," he said. "As such they would be subject to liability for self-dealing, state ethics compliance and reporting requirements, and all other expectations of public officials."

HB COSMETOLOGY LAW (Roegner, K., Reece, A.) To make changes to the Cosmetology Licensing Law. 227 (CONTINUED-SUBSTITUTE; 5th Hearing-All testimony-Possible amendments, substitute & vote)

Testifying as an interested party, Greg Lawson, statehouse liaison for the Buckeye Institute for Public Policy Solutions, told the committee that the bill "takes a small, but significant step to reduce rather absurd occupational licensing requirements in Ohio."

He said current Ohio law requires cosmetologists to have 10 times the amount of training required for emergency medical technicians.

Nonetheless, he said Ohio would still require more training hours than New York or Pennsylvania, even if the bill is approved.

He also asked the committee to remove a registration fee for "boutique services," which he characterized as "an unnecessary hurdle for many to jump over."

One of the changes in the substitute version of the bill removes the Department of Education standards and board approval of those standards, according to Rep. McColley.

Another allows instructor license applications to apply for a pre-examination work permit not to exceed 120 days.

The changes "truly will bring together a better bill and move forward in the best interest of the industry," according to Don Yearwood, president of the Ohio Association of Cosmetology Schools.

HBALCOHOL SAMPLES (Blessing, L.) To allow certain D liquor permit holders to provide free tasting 444 samples of beer, wine, and spirituous liquor to a person who is 21 years old or older and a paying customer of the permit holder. (CONTINUED; 2nd Hearing-Proponent)

The legislation would "improve upon current tasting laws and allow adult customers of Ohio restaurants and other on premise establishments to taste one-fourth ounce of up to four particular brands of distilled spirits to determine whether that product suits their palate before paying for a full-sized drink with premium product," said David Wojnar, vice president of government relations at the Distilled Spirits Council.

He told the committee that the measure will allow establishments to introduce new products to consumers and could boost the state's economy.

Currently, 46 states allow some form of tasting of distilled spirits, according to Mr. Wojnar

According to Rep. Brown, there could be some amendments introduced to the bill as it comes back before the committee.

"That is still fluid at the moment," he said.

Subscribers Note: Full testimony is available on the committee's website under April 12.

Judiciary

HBHUMAN TRAFFICKING (Hall, D., Dever, J.) To expand the list of human trafficking-related convictions 268 and delinquency adjudications that may be expunged, to increase the penalties for compelling prostitution and promoting prostitution, and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. (CONTINUED-SUBSTITUTE; 2nd Hearing-Proponent-Possible substitute)

Sasha Appatova, director of the Ohio Justice Policy Center's Second Chance Legal Clinics, told the committee the bill closes the gaps in a previous human trafficking law passed by the legislature.

She said courts may believe that only a select few offenses are available for expungement for victims of human trafficking under current law.

"Traffickers exploit their victims to transport drugs, steal items for resale and hide from police. If only three offenses can be expunged, survivors are left with dozens of records that create the very barriers that the Safe Harbor law was meant to erase," she said.

The measure will also allow for victims of human trafficking to have their records expunged for arrests that did not lead to convictions, according to Ms. Appatova.

"The non-convictions continue to appear on background checks, online clerk-of-courts sites, etc. Survivors have to take a separate action to seal these records - and even then, the records stay with the court and are accessible in the future," she said.

Patti Young also urged the committee to report the bill, saying it will allow victims of human trafficking to move on with their lives.

"Now, whether they are looking for employment, housing, trying to buy a form of transportation or dealing with a financial institution, it doesn't matter whether you were convicted of a crime or not, they will still see it," she said.

"And not only can judgment be clouded, but these victims will be forced to face their tribulation again, every time this happens. The only way to avoid this, is for the records in these cases to be expunged," she added.

Brooke Hathaway, director of strategic initiatives at the National Underground Railroad Freedom Center, also provided written testimony in support of the measure.

The substitute version of the bill allows a person convicted of solicitation, loitering to engage in solicitation or prostitution to apply for expungement of any record of conviction if it the offense rose from being a victim of human trafficking. The substitute version also provides a pathway to have a record expunged for offenses in which there was no conviction.

The substitute version also removes increased penalties for compelling and promoting prostitution.

<u>HB</u>FOREIGN LAW (<u>Young, R.</u>) To prohibit courts, administrative agencies, and arbitrators from applying <u>339</u> foreign law to the detriment of constitutional rights under the United States and Ohio constitutions. (CONTINUED-AMENDED; 2nd Hearing-Proponent-Possible amendments)

The bill, according to attorney Michael Goldstein, would put Ohio on par with 11 other states that have passed similar legislation.

"This bill will protect the constitutional rights of a multitude of people from foreign lands, many of them new to the United States and to Ohio, who do not yet understand our laws and how to invoke them, and who may not understand either the English language or our legal system very well," he said.

The bill would also "end the probability of various courts and administrative agencies and arbitrators making disparate decisions regarding application of foreign law based on essentially similar facts," he said.

Stephen Gele, a Louisiana attorney, testified that discordant foreign laws, including Sharia law, have been attempted to be applied in Ohio courts in the past.

In one example, he said, a court refused to enforce a "mahr," a signed Islamic marriage contract. In another instance, Mr. Gele said a court refused to recognize a divorce certificate issued by a Sharia court in Ramallah.

The bill was amended to require the attorney general's office to develop a flier that outlines in different foreign languages the constitutional rights that individuals have in the court system.

<u>HB</u> STRANGULATION (<u>Stinziano, M., Kunze, S.</u>) To prohibit a person from knowingly impeding the normal <u>362</u> breathing or circulation of another by strangulation. (**CONTINUED**; 3rd Hearing-All testimony-Possible

substitute)

Ruth Downing, president of Forensic Healthcare Consulting, told the committee the bill "will protect our women and children in Ohio, hold abusers accountable for their actions, and prevent homicides."

She said research has shown that a woman's chance of being killed by her partner increases by 700% if she has been strangled once by her partner.

"Strangulation is the ultimate form of power and control," she said. "An abuser does not need a gun. He only needs to reach out his hand and he controls her next breath - and victims know this. An abuser knows he can strangle her to unconsciousness without leaving a mark on her neck."

HBPRISON TERMS (Patmon, B.) To create specifications that impose an additional prison term upon an offender who commits a felony offense against a disabled person or an elderly person and increase the period of commitment to the Department of Youth Services for committing an act that would be a felony offense against a disabled person or an elderly person if committed by an adult, for felony offenses that do not delineate enhanced penalties when a disabled person or an elderly person is the victim of the violation. (CONTINUED (See separate story); 3rd Hearing-All testimony)

HBESTATE LAW (Rezabek, J.) To revise the law governing decedent's estates by making changes in the Ohio 432 Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act. (REPORTED (No testimony); 4th Hearing-All testimony-Possible vote)

HBPROTECTION ORDERS (Boose, T.) To provide that an individual's statutory priority to decide whether or 451 not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding. (CONTINUED; 3rd Hearing-All testimony)

Beverly Vera, whose stepdaughter was murdered by her husband in 2011, urged the committee to go farther with the bill.

Ms. Vera's stepdaughter remained on life support for days after being stabbed numerous times with a screwdriver by her husband, who initially refused to take her off the life sustaining treatment.

"The changes going through now are not enough. It helps, and I appreciate the change, but it still isn't enough. A pending divorce, legal separation or restraining order may not apply in every case when it is spouse vs. spouse," she said.

Because her step-daughter had to reestablish residency before filing for divorce and she did not file for a restraining order, she would not have been subject to the measure, according to Ms. Vera.

"She didn't want to get a restraining order because she knew it would make him mad. In most cases, a restraining order is just a piece of paper," she said. "Not only would he have gone after Maria, but he may have gone after me as well, since Maria and I were living alone with the children."

Subscribers Note: Full testimony is available on the committee's website under April 12.

Commerce & Labor

HBCRIMINAL RECORDS (Barnes, J.) To enact the Fair and Accurate Reporting of Criminal Records Law, to 172 require certain business entities that publish criminal record information to ensure that the information is complete and accurate, to provide a procedure by which a subject of published criminal record information may have incomplete or inaccurate information corrected or removed from the publication, and to provide remedies for the failure of a business entity to remove or correct incomplete or inaccurate information. (CONTINUED-SUBSTITUTE; 4th Hearing-All testimony-Possible substitute)

The committee adopted a substitute bill that makes it a criminal offense - a first-degree misdemeanor - to solicit or accept a fee from someone in exchange for correcting or removing published criminal record information. (Comp Doc)

The purpose of the bill, sponsor Rep. Barnes said, is to keep businesses from extorting money for the removal of mugshots or other information from people who have been found innocent of crimes.

"It will require that these individuals will remove these untruths from their websites and not charge them a fee or a penalty," he said.

The substitute bill came after meetings with interested parties, including the Ohio Newspaper Association, that had expressed concerns with aspects of the bill.

The bill now focuses primarily on those entities that try to extort a fee for removing information after charges are dropped or a person is found not guilty, Rep. Barnes said.

Finance

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HBDATA OHIO BOARD (Hagan, C., Duffey, M.) To create the DataOhio Board, to specify requirements for 130 posting public records online, to require the Auditor of State to adopt rules regarding a uniform accounting system for public offices, to establish an online catalog of public data at data.Ohio.gov, to establish the Local Government Information Exchange Grant Program, and to make an appropriation. (CONTINUED-AMENDED; 2nd Hearing-Proponent-Possible amendments)

The committee accepted an amendment from Rep. Duffey that would eliminate much of the funding in the bill, reducing the total from \$25 million to \$350,000.

The remaining funds will cover state auditor and state librarian costs associated with administering the DataOhio Board, he said. The money that was cut would have been used for \$10,000 grants to municipalities that want to be a part of the initiative.

"The reason isn't that we don't want the money, it's just we're not sure the state can afford it right now, so we'll live to fight another day on that one," he said.

Rep. Duffey said after the meeting that he'll continue to push for funding that would cover start-up grants - whether that's as part of the bill or in the next biennial budget.

Witnesses said there is value in having uniform chartered accounts online so that many municipalities may consider taking up the initiative without a financial incentive.

Ohio Newspaper Association Executive Director Dennis Hetzel, Ohio State University associate professor David Landsbergen and former Rep. Gene Krebs testified in support of the measure, echoing testimony they previously presented to the House State Government Committee.

OSU Professor Edward Hill also praised the DataOhio proposal.

"The benefits that can be derived from these data systems are many. Fiscal warning indicators can be developed and meaningful interventions can be made to head off managerial troubles before fiscal emergency is declared," he said. "Local governmental leaders can identify benchmark communities to examine their revenue and expenditure patterns.

"If supplemented with data on employee headcount and output measures, local governmental leaders will have a better understanding of their service levels to their constituents and have ways of identifying best practices," he continued. "Consistent and comparable charts of accounts should lower the cost of audits and make it easier to file Comprehensive Annual Fiscal Reports."

Mr. Hill told Rep. Duffey that the university is often contracted to research policy items. The labor required to collect information from many sources and determine how to relate it is intense, he said.

HBFINANCIAL LITERACY (<u>Terhar</u>, <u>L.</u>) To require the Chancellor of Higher Education to create the <u>391</u>SmartOhio Financial Literacy Pilot Program at the University of Cincinnati to operate for the 2016-2017 school year and to make an appropriation. (**REPORTED** (**No testimony**); 3rd Hearing-All testimony-Possible vote)

HB DEVELOPMENTAL DISABILITIES (Amstutz, R.) To modify programs administered by the Department 483 of Developmental Disabilities and to make an appropriation. (CONTINUED (See separate story); 1st Hearing-Sponsor-Pending referral)

SB TAX HOLIDAY (Bacon, K.) To provide for a three-day sales tax "holiday" in August 2016 during which 264 sales of back-to-school clothing and school supplies are exempt from sales and use taxes. (CONTINUED; 1st Hearing-Sponsor)

Sen. Bacon said the bill must be signed by the governor by May 1 so that another tax holiday can take place the first weekend of August.

Last year's sales tax holiday on certain back-to-school items resulted in an \$8 million gross increase in sales tax collections during that period, the sponsor said, pointing to a University of Cincinnati study. Juts \$3.3 million of that was lost from exempt items, making the weekend a \$4.7 million net gain in revenue.

"We believe we were able to capture some out-of-state business with the bill as well," Sen. Bacon said. The UC Economic Center analysis showed high sales activity in cities bordering neighboring states.

Rep. Grossman praised the idea, and asked which other states offer sales tax holidays. The sponsor said 18 states offer such holidays, but they're not all alike and not all are for school items.

Sen. Bacon told Rep. Ramos that he didn't take into consideration the administration's efforts to move more toward a consumption tax and away from an income tax when drafting the legislation.

Saying the bill "made a lot of difference" in his district last year, Rep. Patterson asked how the legislature can address the concerns of opponents to the tax holiday. The governor's office and Department of Taxation are concerned that the state could lose money, the sponsor said. County commissioners also oppose the bill because they collect a portion of the sales tax.

Making it a pilot program for a second year was part of an effort to quell those concerns, he said. Ensuring counties remain whole under a hold harmless provision would likely draw opposition from the administration.

Sen. Bacon said he hasn't heard from communities that they lost money during last year's tax holiday, but he did receive positive feedback from Trumbull County Commissioners.

Subscribers Note: For full testimony see the committee's website under April 12.

Ways & Means

HBHOTEL INTERMEDIARIES (Grossman, C., Scherer, G.) To require hotel intermediaries to collect and 150 remit applicable sales and use tax on the full amount paid for hotel lodging, to require hotel intermediaries to supply customers with itemized invoices, to specify that a hotel intermediary is presumed to have "substantial nexus" with Ohio if the intermediary arranges lodging at Ohio hotels, and to specify that hotels are not liable for the failure of a hotel intermediary to properly collect or remit applicable taxes. (CONTINUED; 3rd Hearing-All testimony)

Michael Brown, vice president of strategic development for Experience Columbus, and Scott Dring, executive director of the Dublin Convention & Visitors Bureau, each testified in support.

Mr. Brown said his organization works to promote Columbus as a tourist and business destination, and benefits from a portion of revenues generated by the local hotel taxes. He said other organizations in the community - including those working in the arts, housing and other nonprofits - benefit from those funds.

The group values its partnership with the lodging industry, but raised concerns that hotel intermediaries remit taxes on an amount that is less than what a customer pays for the room, he said. The bill is needed to modernize laws to reflect the realities of ecommerce.

Mr. Dring said the measure would clarify the law to make sure all of the players are following the same rules. He said some operators are not remitting taxes on the full amount - depriving the community of resources that are due.

He argued that the bill doesn't create a new tax, but rather directs all entities to pay an equal share.

Stephen Shur, president of the Travel Technology Association, testified in opposition.

The measure applies the tax to the service fees that are charged to consumers - which is something different than actual hotel room rates, he said. Online agents don't buy hotel rooms in bulk and noted that taxes are collected and remitted on the total amount a hotel requires to put a person in a room. The tax, he said, is based on whatever that established rate is.

Mr. Shur said hotels are free to choose whether they will partner with technology firms, and said his members "literally market Ohio to the world."

He said his members can also steer travelers away from Ohio based on the tax landscape and hotel partnerships.

The witness said that other states that have established similar taxes haven't seen the projected revenue enhancements, and have also suffered from lost visitors, which has a negative impact on other travel-related business sectors.

If the bill passes, he predicted that Ohio hotel rates will rise, which will also likely result in a reduction in bookings. "In that way, Ohio really loses with a tax like this," he said.

Rep. Scherer said he doesn't blame Mr. Schur's members for "taking advantage" of the current law, and added that the goal isn't to tax service fees. He said he is willing to propose an amendment to clarify that language if needed.

Written opponent testimony was submitted by Eben Peck of the American Society of Travel Agents and Amber Knott of Expedia, Inc.

HB SALES TAX REFUNDS (Schaffer, T.) To allow vendors to deduct or apply for a refund of sales tax 404 remitted for bad debts on private label credit cards used to make purchases from the vendor.

(CONTINUED; 1st Hearing-Sponsor)

Rep. Schaffer told colleagues the bill would modernize the tax code by allowing retailers who aren't paid for debts on in-store credit cards to seek a repayment of sales taxes they advance to the state.

The lawmaker said retailers send those sales tax payments to the state even in cases when credit card debts are not paid, creating a situation where the retailer doesn't collect for the sale but still remits the sales tax.

The sponsor said the measure would create a more fair business environment for retailers.

HB TAX EXEMPTION (Smith, R.) To specifically exempt digital advertising services from sales and use tax. (CONTINUED; 1st Hearing-Sponsor & proponent)

Rep. Smith said his bill stems from an updated Department of Taxation informational release on "online services and internet access" that has the effect of applying sales tax to digital advertising services. He said the agency is interpreting a business's access to the control of digital advertising as a taxable "Electronic Information Service."

"Clearly, digital advertising is simply another form of advertising and one that is becoming the norm," Rep. Smith said. "I am concerned that subjecting digital advertising to sales tax will reduce ad budgets and in turn impact sales."

As such, he said the legislation would place "digital advertising services" into the current list of professional services already exempted under the definition of EIS. "In effect, HB466 would simply clarify that digital advertising services have the same tax status as print, radio and other forms, just as we intended during the last two budget cycles."

Also testifying in support of the bill was: Joe Cannon, Ohio Automobile Dealers Association vice president for government relations; Vorys Law Firm tax attorney Tony Ehler, representing OADA and the Ohio Association of Broadcasters; and Dennis Hetzel, executive director of the Ohio Newspaper Association. Written testimony in support was also provided by OAB.

Mr. Cannon said examples of digital advertising include ads dealers post on <u>cars.com</u> or <u>autotrader.com</u>. "These are just a couple of examples - our dealers work with numerous other digital advertising options," he said. "Since dealers have the ability to control the data in the ads, ODT has determined they fall under the definition of an (EIS), which is a taxable service."

Noting that advertising costs are already a big part of dealers' expenses, Mr. Cannon said, "Besides being concerned about our liability, we are also concerned about the impact this interpretation will have on our sales. Dealers are not going to increase their ad budgets 7% in response to this interpretation. They will instead decrease their budgets, which we believe will have a negative impact on sales."

Mr. Ehler said advertising services have never been subject to Ohio sales tax. "The policy reason for this historical 'no tax' result seems clear. The expense for advertising placements invariably finds its way into the retail price of the things advertised and on which Ohio generally imposes a sales tax," he said. "Thus, that value is taxed when the retail sale of the advertised item is taxed."

"By not taxing advertising services, Ohio avoids pyramiding the tax and it encourages commerce and retail sales," he added. "This is good for competition in the market, good for sales and it increases sales tax revenue relied on by state and county governments for the common good. This has been the purpose and design of the Ohio sales tax since its first day and it reflects the balance struck by the General Assembly between encouraging commerce and taxing it."

Mr. Hetzel noted that the legislature "has rejected efforts to expand the sales tax to advertising in recent budgets."

"The research on this subject by economists is extensive and clear: Taxing advertising has a significant, negative impact on the economy, jobs and consumer demand. It is easy to understand why. When a business has less money available for advertising, economic activity is diminished," he said.

"HB466 is consistent with past practice and the important goal of having a business-friendly tax climate in Ohio. The bill clarifies that digital advertising services, including any electronic information services that are provided as part of a digital advertising transaction, are not subject to the sales tax," Mr. Hetzel continued.

"If this legislation is not enacted, then ODT's application of this outdated law to digital advertising could have a significant impact on Ohio's newspapers, digital products and the many services provided to advertising customers in today's world. Indirectly, many newspapers will see a drop in advertising revenue as our customers, particularly advertising-dependent businesses such as auto dealerships that making heavy use of databases, are

forced to dedicate a portion of their advertising budget to cover a new sales tax liability. Newspapers will incur direct administrative costs to collect and remit this new tax to the state."

<u>SB</u> BULLION TAXES (<u>Jordan, K.</u>) To exempt from sales and use taxes the sale or use of investment metal bullion and coins. (**CONTINUED**; 2nd Hearing-Proponent)

Written proponent testimony was submitted by Dave Miholer of Executive Coin Company and Patrick A. Heller of Liberty Coin Service.

Subscribers please note: All written testimony is available under April 12 at this location.

Armed Services, Veterans Affairs & Public Safety

The substitute version offered by Rep. Perales makes several changes including:

- --clarifying that when a court grants unlimited driving privileges with an interlock device to a first-time offender, the court can impose any reasonable conditions other than purpose, time or place;
- --requiring judges to suspend a jail term for first-time offenders when they grant unlimited driving privileges with interlock devices;
- --deleting language regarding rolling retests;
- --requiring the Director of Public Safety to create a certificate of installation and requiring interlock manufacturers to use the certificate to certify proper installation;
- --requiring DPS to adopt rules regarding procedures for inspecting the installation of interlocks;
- --deleting previous language regarding records of the disposition of OVI cases, and;
- --requiring DPS to conduct a study and issue a report on the impact of interlock device use.

Andrea Rehkamp of Mothers Against Drunk Driving testified in support of the bill, saying families of victims continue to seek ways to prevent drunk driving tragedies from occurring.

She said studies show that those who have been convicted of drunk driving have driven drunk many times before they are arrested, predicting that the use of interlocks will help limit repeat offense issues.

She said interlocks help teach sober driving behavior while allowing offenders to continue to work and conduct other activities.

Rep. Terhar questioned whether there should be tougher penalties for offenders who are supposed to be using vehicles with interlocks but who are found to be drunk driving in vehicles without the interlocks.

Rep. Vitale questioned whether interlocks would be installed on all vehicles owned by an offender.

MADD's Doug Scoles said the bill indicates that locks could be installed on any vehicles the person drives.

The bill was approved on a 13-1 vote, with Rep. Fedor in opposition.

HBNATIONAL GUARD SCHOLARSHIPS (<u>Terhar, L., Brinkman, T.</u>) To specify that a National Guard 464 scholarship recipient who fails to complete the recipient's term of enlistment in the National Guard due to enlistment, warrant, commission, or appointment in the United States armed forces is not liable for repayment of the scholarship. (CONTINUED; 1st Hearing-Sponsor)

Rep. Terhar said the measure seeks to right a wrong that requires National Guard scholarship winners to repay their scholarships - with interest - if they leave the guard in favor of enlistment, warrant, commission or appointment in the armed services.

He said the repayment language was included in a budget bill (HB153, 129th General Assembly), and should be reversed.

He said those who are serving their country should be praised for their service, not punished by being made to repay scholarship funds.

Rep. Brinkman added that the bill doesn't establish a loophole or downplay the importance of the National Guard.

Rep. Terhar noted that an upcoming substitute will clarify that the changes would be retroactive so that those with existing repayment schedules will not have to repay their scholarships. Rep. Fedor also suggested that the sponsors consider adding an emergency clause.

Chair Johnson urged the sponsors to seek information from the Ohio National Guard on why the language was added to the previous budget bill.

SB TRAFFIC VIOLATIONS (<u>Hughes, J.</u>) To allow emergency personnel in public safety vehicles to report traffic law violations under certain circumstances. (CONTINUED (No testimony); 3rd Hearing-Opponent & interested party)

SBFLAG DISPLAY (Coley, B.) To prohibit manufactured homes park operators, condominium associations, and eighborhood associations, and landlords from restricting the display of Ohio flags and blue star banners, gold star banners, and other service flags, and to prohibit manufactured homes park operators and landlords from restricting the display of the United States flag. (CONTINUED; 1st Hearing-Sponsor)

Sen. Coley said the measure would protect Ohioans against overly zealous neighborhood organizations that improperly enforce flag restrictions.

He said the measure arises from a situation in Perry Township, where a resident was asked to remove a Blue Star banner from their home. He said people who have children and family members serving overseas shouldn't have to worry about displaying banners and flags while their relatives are in harm's way.

He said the Perry Township case was resolved largely because of public outcry against the flag policy.

Rep. Michael O'Brien said it would be important to get information on the law out to the media if the bill is passed to make sure the public is aware of the change. He said his daughter experienced issues displaying related symbols when his son was serving in Afghanistan.

Sen. Coley's response: "What the hell are people thinking when they do that?"

Chair Johnson said one would think people would have the sense to thank families for their sacrifices rather than asking them to remove signs and banners.

SCRIRAN AGREEMENT (<u>Uecker, J.</u>) To urge the Congress of the United States to disapprove the Iranian nuclear agreement known as the Joint Comprehensive Plan of Action (**REPORTED** (No testimony); 2nd Hearing-All testimony-Possible vote)

The resolution was reported over the opposition of Reps. Craig, Greta Johnson and Michael O'Brien.

Subscribers please note: All written testimony is available under April 12 at this location.

Community & Family Advancement

HBMARRIAGE (Vitale, N.) To provide that an ordained or licensed minister or religious society is not **286**required to solemnize a marriage and a religious society is not required to allow any building or property of the religious society to be used to host a marriage ceremony if the marriage does not conform to the ordained or licensed minister's or religious society's sincerely held religious beliefs, to provide that an ordained or licensed minister or religious society is not subject to civil or criminal liability for such a denial, and to provide that the state and political subdivisions may not penalize or withhold benefits to an ordained or licensed minister or religious society for such a denial. (**CONTINUED** (See separate story); 3rd Hearing-Opponent)

HBDRUG TESTING (Schaffer, T., Maag, R.) To require applicants for unemployment benefits to submit to a 298drug test under certain circumstances, to require the director of Job & Family Services to operate an Ohio Works First drug testing pilot program and to make an appropriation. (CONTINUED; 3rd Hearing-Opponent)

Opponents said the bill could cost the state money and is the wrong way to approach the stated goal of improving access to addiction support services.

Tara Britton, public policy fellow at the Center for Community Solutions, said the policy, which has been tried in other states, has not shown the results it has promised and has cost those states more in drug testing than it saved. The programs have also been shut down by the courts in some states.

The state should instead focus on promoting the addiction services it already has in place, she said, without penalizing people who are seeking financial assistance.

"Currently the Ohio Works First program is reaching only a fraction of families who are in need of assistance," she said. "HB298 would only serve to discourage families from applying for needed assistance. If reaching out to and helping families in need of substance abuse treatment is the goal, we do not believe this is the way to achieve it."

Ms. Britton cited a report CCS released last year on the issue, saying drug testing welfare recipients was not cost-effective for the state and would work against efforts to help Ohioans fight drug addictions. (See <u>Gongwer Ohio Report, November 16, 2015</u>)

Colleen Dempsey, a social worker representing the Ohio chapter of the National Association of Social Workers, said the program would discourage people who need financial assistance and drug addiction counseling from applying for Ohio Works First benefits, meaning they wouldn't be routed into treatment as the bill provides.

"While NASW wholeheartedly agrees that taxpayer funds should not be used to purchase illicit substances, we have concerns that this bill's intent goes further than ensuring proper use of funding, and rather that it stigmatizes and punishes poor families in Ohio," she said.

Lori Criss, associate director of the Ohio Council of Behavioral Health and Family Service Providers, said the program would steer people who have addictions toward the state's already overburdened treatment centers, adding to already long wait lists.

"We appreciate the bill sponsors' intent to create a pathway to addiction treatment for Ohioans that also need financial assistance through Ohio Works First," she said. "Of course, we find common ground in wanting to increase access to and capacity for addiction treatment in Ohio. We are unconvinced, however, that this legislation is necessary to accomplish this goal and question the likelihood that this legislation will produce the desired results."

Rep. Ginter said part of the goal of the pilot program was to create data to study the effectiveness of a statewide program, and asked if that study could help the state figure out if it would work statewide.

Ms. Criss and other opponents of the bill said Ohio could look at the other states that have tried to implement similar programs.

Gary Daniels, chief lobbyist for the ACLU of Ohio, said part of the bill is redundant because people who were fired from a job for drug use are already ineligible for unemployment benefits.

"Using HB298 to disqualify an applicant because they were terminated from their most recent job for illegal drug use is wholly unnecessary," he said. "Ohioans are already denied these benefits if they were terminated for just cause and illegal drug use is surely included among factors defined as just cause."

17 S. High St., Suite 630 Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

<u>Scott Miller</u>, President | <u>Alan Miller</u>, Vice President | <u>Kent Cahlander</u>, Editor | <u>Melissa Dilley</u>, <u>Mike Livingston</u>, <u>Dustin Ensinger</u>, <u>Jon Reed</u>, Staff Writers

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Senate Activity for Tuesday, April 12, 2016

INTRODUCED AND REFERRED

SR CHEMICAL FACILITIES (<u>LaRose, F.</u>) To recognize the National Association of Chemical Distributors' 358Responsible Distribution Program for its environmental stewardship and encourage chemical distribution facilities in Ohio to participate in that Program and the Ohio EPA's pollution prevention assistance program and Encouraging Environmental Excellence (E3) Program.

Energy & Natural Resources

INTRODUCED

<u>SB</u> CAPITAL APPROPRIATIONS (<u>Oelslager, S.</u>) To make capital appropriations and changes to the law <u>310</u>governing capital projects for the biennium ending June 30, 2018. Am. 23.22, 151.01, 151.08, 151.10, 164.03, 164.05, 164.06, 164.08, 164.22, 3318.034, 3318.084, 5139.271, 5751.02, and 5751.20 of the Revised Code and to amend Sections 273.30 and 287.10 of Am. Sub. S.B. 260 of the 131st General Assembly

Gongwer Coverage

<u>SB</u> FLU VACCINE (<u>Patton, T.</u>) To require the Ohio Department of Health to prepare an influenza vaccine <u>311</u> information sheet pertaining to older adults. Am. 3721.041 and to enact section 3701.138

PASSED

HB DAY DESIGNATION (<u>Hagan, C.</u>, <u>Dever, J.</u>) To designate the fourth Sunday of July as Blue Star Mothers Day.

33-0

Gongwer Coverage

DRIVERS LICENSE SUSPENSIONS (Seitz, B.) To make the suspension of an offender's driver's license for a violation of specified drug offenses discretionary rather than mandatory, to authorize a court to terminate a driver's license suspension imposed for specified drug offenses committed out-of-state, to generally authorize a court to terminate a previously imposed mandatory suspension for specified drug offenses, to provide for the discretionary suspension of an offender's driver's license for possessing nitrous oxide in a motor vehicle, and to make consistent the provisions of law governing the ability of a court to grant limited driving privileges.

33-0

Gongwer Coverage

SB DEATH DESIGNATION DEEDS (Bacon, K.) To amend the law related to transfer on death designation deeds and affidavits.

33-0

Gongwer Coverage

HCRCMS SURVEY (Sears, B., Antonio, N.) To encourage the federal Centers for Medicare and Medicaid

Services to revise survey measures included in the Hospital Consumer Assessment of Healthcare Providers and Systems that relate to patient pain management.

33-0

Gongwer Coverage

SENATE CONCURS IN HOUSE AMENDMENTS

SB 182 ROAD NAMING (Balderson, T., Peterson, B.) To designate various bridges and highways.

33-0

Gongwer Coverage

REFERRED

Agriculture:

HB ANIMAL FIGHTS (Sears, B., Bishoff, H.) To prohibit and establish an increased penalty for knowingly engaging in activities associated with cockfighting, bearbaiting, or pitting an animal against another.

Civil Justice:

<u>HBSMALL CLAIMS COURTS (Terhar, L., Dever, J.)</u> To raise the maximum allowable limit of the monetary <u>387</u> jurisdiction of small claims divisions of municipal courts.

SB CIVIL LIABILITY (<u>Lehner, P.</u>) To modify the qualified immunity from civil liability for volunteer health 292 care services provided to indigent and uninsured persons and to permit health care professionals to earn continuing education credit by providing volunteer health care services to indigent and uninsured persons.

SB VOTING HOURS (Seitz, B.) To specify the conditions under which a court may order that a polling place 296 be kept open for extended hours on the day of an election and to require a person who votes pursuant to such an order to cast a provisional ballot.

SB PERRY COUNTY COURTS (Hottinger, J.) To create the Perry County Municipal Court in New Lexington 299 on January 1, 2017, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Perry County Court on that date, to designate the Perry County Clerk of Courts as the clerk of the Perry County Municipal Court, and to provide for the election for the Perry County Municipal Court of one full-time judge in 2017.

SB PREGNANCY ACCOMMODATIONS (Jones, S., Cafaro, C.) To enact the "Pregnancy Reasonable **301** Accommodation Act" to generally require employers to make reasonable accommodations for employees who are pregnant or breastfeeding.

SB PUBLIC EMPLOYEE INDEMNIFICATION (Williams, S.) To grant a cause of action to an employee or 304 injured person against a political subdivision that refuses to perform its statutory duty to indemnify an employee in the amount of a judgment for certain damages if specified conditions apply.

SB CHILD SUPPORT (Coley, B.) To amend the child support laws.

SR CORPORATE BOARDS (<u>Cafaro, C.</u>) To urge equitable and diverse gender representation on the corporate 373 boards of directors of companies based in Ohio.

Criminal Justice:

SB EXPUNGEMENT (Obhof, L.) To provide that a person who is found not guilty of an offense by a jury or a 284 court or who is the defendant named in a dismissed complaint, indictment, or information may apply to the court for an order to expunge the person's official records in the case if the complaint, indictment, or information or finding of not guilty was the result of the applicant having been a victim of human trafficking and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution.

SB POLICE ANIMALS (<u>Hughes</u>, <u>J.</u>) To modify the penalty for assaulting a police dog or horse to require, if **286** the dog or horse is killed, a mandatory prison term and a mandatory fine to be paid to the law enforcement agency served by the dog or horse.

<u>SB</u> RESIDENTIAL ENTITIES (<u>Williams, S.</u>) To authorize an organized residential entity with defined <u>290</u>boundaries to seek an injunction to keep certain repeat offenders from entering the area.

Education:

STUDENT EXPULSIONS (<u>Hughes, J.</u>) With respect to the expulsion of a student from a school district, community school, or STEM school for communicating a threat of violence to occur on school grounds.

Energy & Natural Resources:

SCRRACE VEHICLES (<u>LaRose</u>, F.) To urge the Administrator of the United States Environmental Protection 18 Agency to retract proposed regulations concerning competitive race vehicles that are used solely for competition.

Finance:

SB RESIDENTIAL CARE (<u>Cafaro</u>, <u>C.</u>) To authorize alternative sanctions for residential care facilities, to <u>283</u> authorize memory care units in residential care facilities, to provide funds to regional long-term care ombudsman programs to hire additional staff, and to make an appropriation.

SB COMMUNITY SCHOOL CONTRACTS (Schiavoni, J.) Regarding community school operator contracts 298 and the operation of Internet- and computer-based community schools.

Government Oversight & Reform:

SJRGRAND JURIES (Williams, S.) Proposing to amend Section 10 of Article I of the Constitution of the State of Ohio to allow the prosecutor in a felony case to elect to prosecute upon a finding of probable cause by a court following a hearing rather than upon indictment by a grand jury.

HB DRUG ADDICTION TREATMENT (Green, D., O'Brien, S.) Regarding encouraging pregnant women 325 who are addicted to controlled substances to seek treatment.

SB NATURAL RESOURCES (Balderson, T.) To revise specified laws relating to natural resources.

293

SB AGENCY RULEMAKING (<u>Uecker, J.</u>) To reform agency rule-making and legislative review thereof.

303

Health & Human Services:

HBTERMINAL PATIENTS (Sprague, R., Anielski, M.) To permit a physician to treat a terminally ill patient 290 with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician.

SB DIABETES (<u>Hite, C.</u>) To require state agencies to assess the incidence of diabetes in Ohio, to establish 287 goals and plans to reduce that incidence, and to submit biennial reports with findings and recommendations for fiscal and legislative policies on diabetes prevention, treatment, and management.

<u>SB</u> AWARENESS MONTH (<u>Yuko, K.</u>) To designate September as "Pain Awareness Month." 291

SB SMOKING BAN (Schiavoni, J., Seitz, B.) To amend the smoking ban. 295

SB PSYCHOTROPIC DRUGS (Seitz, B.) To authorize certain psychologists to prescribe psychotropic and 300 other drugs for the treatment of drug addiction and mental illness.

Medicaid:

HCRDD EMPLOYMENT SERVICES (Romanchuk, M., Antonio, N.) To urge the Congress of the United 21 States to request that the federal Centers for Medicare and Medicaid Services revise its guidance on

employment services for individuals with developmental disabilities to maintain their right to participate in programs offered by facility-based day programs, training centers and sheltered workshops.

State & Local Government:

HBCORONER LAW (Huffman, S., Johnson, T.) To recognize that coroners include medical examiners; to 240 change the qualifications for holding office as a coroner of a charter county; to require, under certain conditions, and to authorize, under other conditions, supplemental compensation for coroners who are forensic pathologists; to revise how the office of coroner is filled when a vacancy cannot be filled by election or appointment; to specify the disposition of a firearm when a person meets death under certain circumstances; to specify who pays for the autopsy of an inmate of a state correctional facility; and to make other changes to the coroners' law.

<u>HBMONTH DESIGNATION</u> (<u>Grossman, C., Curtin, M.</u>) To designate the month of September as "Hunger <u>241</u>Action Month."

HBRETIREMENT SYSTEMS (Schuring, K.) To include new nonteaching employees of The University of 305 Akron as members in the Public Employees Retirement System and to make an appropriation for the University's School Employees Retirement System employer surcharge payments.

SB DAY DESIGNATION (Thomas, C., Tavares, C.) To designate September 12 as "Jesse Owens Day." 285

SB AWARENESS DAY (Schiavoni, J.) To designate May 15th as "All for the Kids Awareness Day."

294

SB DAY DESIGNATION (Yuko, K.) To designate July 8 as "Harrison Dillard Day." 306

SB SCHOOL BUS OPERATION (LaRose, F.) To require a school bus operator who files a report alleging that 309 a vehicle passed the school bus while stopped to include in the report a description of the operator of the vehicle if possible, rather than requiring a description of the operator in all circumstances.

Transportation, Commerce & Labor:

FAMILY LEAVE (Cafaro, C.) To establish family and medical leave insurance benefits to provide paid leave to allow an individual to address the individual's own serious health condition, to care for a family member, or to bond with a new child and to exempt those benefits from personal income tax.

SCRMINERS ACT (Gentile, L.) To urge the Congress of the United States to enact the Miners Protection Act 17 of 2015.

Ways & Means:

HB TAX EXEMPTION (Schaffer, T., Retherford, W.) To exempt the sale of natural gas by a municipal gas 390 company from the sales and use tax.

HB LINKED DEPOSITS (Schuring, K.) To create the business linked deposit program, to permit credit unions 415 to participate in that program, to permit credit unions to participate in the agricultural linked deposit program, and to make other changes to the linked deposit law.

SB TAX PAYMENTS (Eklund, J.) To revise the law governing how taxes on income from pass-through entities 288 is to be reported and paid by the entities and their investors.

SB TAX CREDIT (Patton, T.) To increase the overall cap on the motion picture tax credit from \$40 million per 289 fiscal biennium to \$100 million for the current fiscal biennium and \$160 million for all subsequent biennia.

SB PROPERTY TAXES (Schiavoni, J., Gentile, L.) To exempt from property taxation the primary residence of 302 military veterans who are disabled.

SB TAX CERTIFICATE SALES (Williams, S.) To prohibit the sale of tax certificates for parcels owned by a 305 person sixty-five years of age or older and that include the primary residence of the owner.

COMMITTEE HEARINGS

Financial Institutions

TRUST LAW (<u>Hambley, S., Bishoff, H.</u>) To create the Ohio Family Trust Company Act. (CONTINUED; 1st Hearing-Sponsor)

The bill will help to keep financial business in Ohio, Rep. Hambley told the committee.

Trust companies are currently regulated in a way similar to commercial banks, which often leads to large capital requirements for single families, according to Rep. Hambley.

"These requirements can be prohibitive for many families, and are forcing business formation activity to other states with more flexible regulations. We want to keep this financial activity in Ohio," he said.

He also said the bill would create a more "flexible structure" to allow closely held family businesses to be passed on to the next generation.

Rep. Bishoff told the committee in written testimony that Ohio has fallen behind other states in the area of family trust companies. Across the country, 15 states have implemented family trust company laws, she said.

"The benefits to Ohio families are clear," Rep. Bishoff continued. "By creating Family Trust Companies, we would eliminate the cost of travel for Ohioans investing in other states by keeping the funds here. This bill would establish common-sense uniformity in family trust procedures."

HB DEED PROGRAM (Dever, J., McColley, R.) To create the D.O.L.L.A.R. Deed Program. 303 (CONTINUED; 1st Hearing-Sponsor)

The legislation will help to keep Ohioans facing financial difficulties in their homes, according to sponsoring Rep. Dever.

"The fundamental policy objective here is simple, guarantee a cost effective and efficient way of completing a foreclosure," he said. "The cost of entering the program will often be for less than \$100 and still guarantees

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creditor rights, in return for an opportunity to restore families' American dream, without economic loss to the bank, homeowner, or the local municipalities."

The bill, according to Rep. Dever, received the support of both creditors and lenders as it made its way through the House.

Sen. Beagle questioned whether the bill is modeled off of similar legislation in other states.

"We will actually be on the cutting edge," Rep. Dever replied.

The bill's other sponsor, Rep. McColley, said in written testimony that the measure "offers creditors the option of eliminating the cost of foreclosure litigation, while simultaneously allowing individuals and families to stay in their homes."

SB TRUST COMPANY LAW (Eklund, J.) To create the Ohio Family Trust Company Act. (CONTINUED; 4th Hearing-All testimony)

Cindy Steeb, executive vice president and chief legal counsel at MTD Holdings, Inc., told the committee that the measure "enables family enterprises to more readily be passed down to future generations."

"As family businesses look to manage and protect a family asset over time, long term trusts are frequently used to pass the family asset to future generations in an efficient and consistent manner," she said.

"The Ohio Family Trust Act will allow these families to create a corporation with a board of directors comprised of family members and/or independent individuals who will understand the family enterprise and values now and into the future," she continued.

She went on to tell the committee that the bill could attract business to Ohio from surrounding states.

In written testimony, Rob Galloway, a partner with the law firm Baker Hostetler, told the committee the measure has drawn a high level of interest because "it provides a fiduciary solution currently not available in Ohio."

"It is important to know that Senate Bill 175 has been over two years in-the-making, and the current wording has benefitted greatly from numerous discussions and compromises with interested parties, including a special committee appointed by the Ohio Bar Association, the Ohio Bankers' League and the Department of Commerce," he said. "We are especially pleased to know that the Superintendent of Financial Institutions and his team have fully vetted this bill and are satisfied with the level of protections for both the licensed and unlicensed options."

SB 226DEBT ADJUSTING (Seitz, B.) Regarding debt adjusting. (CONTINUED (See separate story); 4th Hearing-All testimony)

State & Local Government

<u>HB</u> LEGISLATIVE SERVICE COMMISSION (Sweeney, M.) Regarding the term of a General Assembly member as a member of the Legislative Service Commission. (CONTINUED; 1st Hearing-Sponsor)

Former members of the General Assembly would be prohibited from being appointed to a panel that oversees the Legislative Service Commission under the measure, Rep. Sweeney said.

"I believe it is unconventional for members who are no longer serving in the General Assembly to be making important staffing decisions for LSC," he said. "This bill ensures the accountability and responsiveness of the panel, and maintains the integrity of the position."

Members of the panel have input on LSC staff functions, including conducting orientation for new members, and also serve as the administrative board for Legislative Information Systems, Mr. Sweeney said. They also appoint

LSC and LIS directors.

"To me, this bill is a simple common-sense approach which helps to enhance good public policy," he said. "I believe it is in the best interest of Ohio, and the Legislative Service Commission to allow only current members of the Ohio General Assembly to serve on this important administrative board."

HBSTATE ROCK SONG (Grossman, C., Stinziano, M.) To designate "Hang on Sloopy," which includes the following lyrics, as the official state rock song: Hang on Sloopy, Sloopy hang on; Sloopy lives in a very bad part of town; All the girls I know they try to put my Sloopy down; Sloopy, I don't care what your daddy do; Don't you know little girl, I'm in love with you; Sloopy, let your hair down, let it down on me; Come on Sloopy let your hair down, Girl it down on me. (CONTINUED; 1st Hearing-Sponsor)

Rep. Grossman said the measure would solidify "Hang on Sloopy" as Ohio's official rock song - a title many believe the song already holds.

In what some consider being their most significant achievement, in 1985 State Rep. Mike Stinziano and state Sen. Gene Watts sponsored House Concurrent Resolution 16 designating "Hang on Sloopy" as Ohio's Official State Rock Song," she said.

"Recently, it has come to our attention and verified by LSC, and to the surprise and dismay of many, the designation of 'Hang on Sloopy' as Ohio's Official State Rock Song, legally ended when that session of the General Assembly adjourned sine die."

"The purpose of our legislation is to right this wrong and officially make 'Hang on Sloopy' once and for all within the Ohio Revised Code the state's official rock song," Rep. Grossman continued.

HB DAY DESIGNATION (Slesnick, S.) To designate October 7 as Moses Fleetwood Walker Day. (CONTINUED; 1st Hearing-Sponsor)

Rep. Slesnick said Moses Fleetwood Walker, an Ohio native, doesn't often get the recognition he deserves as the first African American to play under contract for a major league baseball team.

In 1883, he was signed to the Toledo Blue Stockings, but high racial tensions at the time lead the league to unofficially ban African American players in 1889 because of Mr. Walker's presence, the bill's sponsor said. Jackie Robinson, who is often credited as being the first African American professional baseball player, dissolved the ban in 1946.

"Since Fleet's time, baseball has changed in many ways. What hasn't changed, however, is the lack of credit given to Moses Fleetwood Walker," Rep. Slesnick said.

"He was a man whose actions of courage and determination were not, and are not, celebrated, but instead cast aside. It is for this reason I believe that we should recognize Oct. 7, his birthday, as Moses Fleetwood Walker Day and finally given an Ohioans some long overdue credit he deserves for being the first African American to play in major league baseball."

SB REAL PROPERTY (Seitz, B., Skindell, M.) To create a presumption of validity of recorded real property 257 instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments. (CONTINUED; 2nd Hearing-Proponent)

Mike Sikora, an attorney and title agent representing the Ohio State Bar Association, said Ohio's current real property laws are more stringent than other states, making it a more difficult place to do business.

He said the measure will modernize the state's laws as well as reduce litigation involving Ohio

real property instruments, such as deeds and mortgages and ensure the validity of recorded real property instruments.

"Amending the Curative Statute to modernize it and carefully expand its application would be in the best interests of Ohio lawyers, all participants in the real estate industry, and it would promote and facilitate real estate transactions in general," Mr. Sikora said.

SB PHOTO MONITORING (Patton, T.) To prohibit a local authority from deriving more than 30 per cent of 275the total annual revenue of the local authority from the issuance of tickets for traffic law violations based on evidence recorded by traffic law photo-monitoring devices. (CONTINUED; 1st Hearing-Sponsor)

In written testimony, Sen. Patton said "this legislation provides a reasonable solution to an ever-growing problem of misuse of local authority" by limiting the total annual revenue an entity can take in from the issuance of traffic law violations based on photo-monitoring devices.

The measure, which would limit revenue from such tickets to 30% of total revenue, was prompted by the Village of Linndale, which has taken in about 80% of its revenue through traffic camera violation fines, he said.

"A local authority who receives nearly 80% of their annual cash receipts from the issuance of said tickets is simply gaming the system and this issue must be addressed. This legislation does exactly that," Sen. Patton said.

The bill's sponsor also raised concerns about the safety impacts of relying on cameras to catch speeders.

"When drivers see a police officer on the road they are reminded that they must maintain a safe speed at all times, and if someone is in fact driving recklessly or over the speed limit the police officer is there to witness, pull-over, and ticket that individual," he said. "In a village like Linndale, the offender would simply receive a ticket in the mail a month or two later, and the offender's illegal behavior would not be apprehended."

Traffic stops are also necessary because they can lead to other findings, such as unregistered

weapons, suspended licenses or the possession of narcotics, Sen. Patton said.

HCR MILITARY BRATPIN (Sears, B., Dovilla, M.) To express support for the Military BratPin. (CONTINUED; 1st Hearing-Sponsor)

Rep. Sears said the resolution recognizes "The BratPin," which is a pin to honor military children that was designed by one of her constituents.

"Military brats have been a large, but somewhat forgotten part of our population for many years.

Too often, their service has been overlooked, their sacrifice minimized, and their needs

Unattended," she said in sponsor testimony.

"Since September 11, 2001 more than two million military children have had a parent deployed at least once, as well as relocating 10 times more often than civilian families, moving every 2-3 years on average. Yet even with these challenges military brats have adapted, coped, and grown."

Proceeds from the pins that can be purchased online go to the nonprofit organization Brats Without Borders, Rep. Sears said.

Insurance

HBWORKERS COMPENSATION (Henne, M., McColley, R.) To allow a state fund employer to have a 207workers' compensation claim that is likely to be subrogated by a third party paid from the surplus fund account in the state insurance fund rather than charged to the employer's experience (CONTINUED (No testimony); 3rd Hearing-Opponent)

HBDENTAL SERVICES (<u>DeVitis, T.</u>) To prohibit a health insurer from establishing a fee schedule for dental providers that are not covered by any contract or participating provider agreement between the health insurer

and the dental provider. (**CONTINUED**; 3rd Hearing-Opponent)

Rick Lantz, chief lobbyist and manager of public policy for Delta Dental of Ohio, Indiana, and Michigan, told the committee that he has two major concerns with the bill, saying it will increase the cost of dental care for Ohioans and lead to an "unwarranted government interference into private contracts voluntarily entered into by dentists and dental plans."

"House Bill 95 is the fourth dental non-covered services bill to be considered in the past three General Assemblies," he said. "The first three bills were a bad idea and they failed to advance. HB 95 is no better."

Sandi Davis, an employee of the Union Benefits Trust, told the committee that "if we are to continue the strides being made in our attempts to control the cost of health care as a whole, we must not change the current landscape with respect to capped dental fees."

"With so much information surrounding the correlation between oral health and overall health, is this really the time to put a higher price tag on these services?" she asked.

Robert Davis, political and legislative director of AFSCME Ohio Council 8, told the committee that the bill "will increase the cost of dental care for our members and their families."

"This legislation also could contribute to an increase in overall health care costs, since a boost in fees could easily lead to some patients neglecting their dental care until more severe and costly problems occur," he said. "Poor dental health has been linked to diabetes and other serious medical conditions."

Written testimony in opposition to the bill was also provided by the Ohio Education Association; the Ohio Association of Health Plans; America's Health Insurance Plans; the Westfield Group; the Ohio Chamber of Commerce; Careington Intl. Corp.; and the National Association of Dental Plans.

SBFIREFIGHTER CANCER (<u>Patton, T.</u>) To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter.

(**REPORTED-AMENDED** (See separate story); 5th Hearing-All testimony-Possible amendments & vote)

Subscribers Note: Full testimony is available on the committee's website under April 12.

Agriculture

HB WINE SALES (Manning, N.) To establish the F-10 liquor permit to authorize certain A-2 permit holders to sell Ohio wines at farmers markets. (CONTINUED; 1st Hearing-Sponsor-Possible amendments)

Rep. Nathan Manning said his bill, in creating the F-10 liquor permit, would allow farmers markets to permit wine manufacturers with A-2 or S permits to sell 1 ounce samples of wine or six bottles of sealed wine for consumption off site.

The permit would cost \$100 under the bill and would expire after nine months if not renewed, he said.

Farmers markets excluded from eligibility, he said, are those that: are for-profit, are located at a rest area within the right-of-way of an interstate or at a service facility along the Ohio Turnpike, or have fewer than five participants.

"The local food movement in Ohio and around the county has never been more vibrant," Rep. Manning said. "In most wine producing states across the nation, small family wineries have been selling their locally grown products in farmers markets to complement locally grown food. In Ohio, our family wineries have not been able to take full advantage of these opportunities."

HB WINERY PERMITS (Young, R.) To create the Ohio Farm Winery Permit. (CONTINUED-

4

342 AMENDED; 1st Hearing-Sponsor)

The committee adopted an amendment to correct language in the budget (HB 642) that created the D-51 liquor permit.

Sen. Eklund, who provided sponsor testimony on Rep. Young's behalf, said the D-51 permit is issued based on county population density but that some rural townships are prevented from obtaining the permit because they are being unfairly punished by the population density in other, more populated parts of their counties.

"This is simply a correction measure to get right what we thought we were getting right in the budget bill," Sen. Eklund said.

In his testimony, Sen. Eklund said the bill's new A-2f wine permit would afford the same privileges of the current A-2 permit but would allow wineries "to present themselves to the public as true farming operations."

To be eligible, the winery must meet the existing legal definition of a farm as described by the Commercial Agricultural Use Value Program, he said.

"They are proud of the fact they are farmers and desire to be officially recognized as farms," Sen. Eklund said. "Secondly, it is important Ohio recognize some of the unique challenges involved in owning and operating a farm winery operation."

He said the permit would also allow those operations to avoid potential tax alienation in the future.

Responding to Sen. Cafaro, Sen. Eklund said the permit would not change the standing of wineries that do not obtain such a permit.

HBALCOHOL POSSESSION (<u>Duffey, M., Stinziano, M.</u>) To allow a person to possess beer or intoxicating 37 liquor on the premises of a market if the beer or intoxicating liquor has been purchased from a D liquor permit holder that is located in the market. (CONTINUED-AMENDED; 3rd Hearing-All testimony-Possible amendments)

The committee adopted an amendment that Sen. Uecker said allows D permit holders located adjacent to a farmers market with an F-8 permit to sell alcohol within the boundaries of the F-8 permit area.

Corporation for Findlay Market President and CEO Joe Hansbauer in written testimony advocated for the change, saying the move would benefit those D permit holders.

"There are some private establishments immediately adjacent to the north and south of the Findlay MarketHouse that have D permits," Mr. Hansbauer wrote. "The F-8 boundary stops at their front door.

"The intent of this amendment is to enhance the business opportunities for the private, D-permit establishments immediately adjacent to the MarketHouse."

HBCOMPANION ANIMAL ABUSE (Hall, D., Patmon, B.) To revise provisions and penalties regarding treatment of companion animals, to revise the definition of "companion animal" in the Offenses Relating to Domestic Animals Law, and to provide a state collaborative effort to assist veterinarians in identifying clients who may use their animals to secure opioids for abuse. (CONTINUED; 2nd Hearing-Proponent)

Numerous proponents urged committee members to support the legislation, which would increase penalties for instances of animal abuse.

Amy Beichler, executive director of Public Animal Welfare Society, testified that the causal link between animal abuse and abuse toward domestic partners, children and the elderly "has long been documented." Proponents argue the felony records would allow law enforcement to more easily identify those who pose a danger to others.

"Armed with this information, law enforcement agencies can better define and articulate the resources they need and then apply these resources where they would be most effective," Ms. Beichler said.

She also said she would like to see a language added back into the bill to increase penalties against those who harm law enforcement animals.

Diana Austin of Stark County told committee members the story of her family's dog, Sampson, who ran away and was shot by an individual whose wife, following the subsequent public attention and fallout, killed herself. The man was ultimately found guilty of one count of animal cruelty and two counts of criminal mischief.

"He was sentenced to 30 days in jail and a small fine," Ms. Austin said. "After all of this his crimes were only considered a misdemeanor."

ASPCA Midwest Legislative Director Vicki Deisner said the punishment for animal abuse doesn't fit the crime under Ohio's current law and Sandra Horvath, a Columbus attorney focused on animal law, said Ohio is in the "small minority" of states without a felony penalty option for a first offense of animal abuse.

"Today, in Ohio, offenders of the most serious acts of animal cruelty are at most sentenced to six months in jail and potentially fined \$1,000," Ms. Horvath said. "That means cutting up a dog so severely that parts of him were never found, as was the case in 2015 in Newark, Ohio, or slitting the family dog's throat, a case from LaGrange, Ohio does not result in prison time."

Venture capitalist Luke Westerman testified in support of the bill, saying the issue "is a very disconcerting reality that desperately needs remedied."

Written proponent testimony was received from Kyle Silvers, appointed prosecutor for the Wood County Humane Society; Corey Roscoe of the Humane Society of the United States; and citizen Edward Carrol.

-Subscribers Note: For full testimony see the <u>committee's website</u> under April 12.

Education

HB AUTISM SCHOLARSHIPS (Blessing, L., Rezabek, J.) To permit the temporary, legal, or permanent custodian of a qualified child to apply for an Autism Scholarship. (CONTINUED; 2nd Hearing-All testimony-Possible amendments & vote)

Marla Root, director of public affairs and development at Step By Step Academy, said children should be selected for the scholarships based on their diagnosis and needs.

The academy has worked with a number of frustrated families who couldn't get their students enrolled despite being in need of the programs it offers, she said.

"As the Autism Scholarship rules are currently written, only a child's biological parent, or a grandparent, who can secure a grandparent affidavit from the biological parent, can apply," Ms. Root said. "This rule excludes a large number of children with autism from being able to access the Autism Scholarship for more specialized services."

Wendy Hamilton, with the Aaris Therapy Group in Niles, said students who have temporary, legal or permanent custodians should have access to the Autism Scholarship.

"Often these children have suffered traumatic events, which have led them to be placed outside of their natural homes," she said. "To exclude these children from access to the scholarship excludes them from school choice and the options available to those who benefit from having natural parents in their lives."

School Choice Ohio Executive Director Kaleigh Lemaster noted that the Jon Peterson Special Needs Scholarship allows temporary, legal or permanent custodians to apply for a scholarship on behalf of an eligible student.

Cheryl Chambers, a legal guardian who brought the scholarship access issue to the attention of the bill's sponsor, said denial of the scholarship has set back her daughter's progress.

"Many people such as grandparents, aunts, uncles, neighbors and foster parents, are given the title of mother and/or fathers through nontraditional avenues," she said. "We need the same recognition, weight and authority as a birth parent to ensure that the lives of the children we parent are enriched. Without the change in the current language and requirements, many children remain victimized and fail to get the services they desperately need."

Sen. Lehner apologized to Ms. Chambers on behalf of the state for what she's been through because she wasn't able to enroll her child in special classes.

"To me what you have described is inexcusable and if this bill is what it takes to fix it, so be it. I'm just aghast," she said.

<u>SB</u> EDUCATION PROFESSIONALS (<u>LaRose</u>, F.) With regard to the employment of specified education professionals by city, exempted village, and local school districts. (**CONTINUED**; 2nd Hearing-Proponent)

Ohio Education Association Vice President Scott DiMauro described the bill as "a legislative response to the State Board of Education's 2015 elimination of the 'five-of-eight rule' in the Operating Standards for Ohio Schools."

"Senate Bill 241 states that Ohio's K-12 students should have access to a complete curriculum, including the fine arts, music and physical education as well as comprehensive services provided by school nurses, social workers, library/media specialists and counselors," he said. "These positions are critical so that every district is able to meet the needs of students."

An Americans for the Arts study released this month found that 89% of Americans believe that arts are part of a well-rounded education, Mr. DiMauro added.

Jim Dowdy, a member of the music education faculty at Capital University, offered support for the bill on behalf of the Ohio Music Education Association.

He said research has shown that music education is correlated with students doing well on assessments and working better with peers, reinforcing the necessity of having the subject taught in schools.

"However, music education isn't only about shaping the brain. It helps develop the well-rounded people we most need in our society," he said. "Studies have found that lower-income students who receive high levels of arts engagement are more civic-minded and are more likely to exercise their right to vote, do volunteer work, finish a bachelor's degree and choose a professional career path.

"Music education sets the foundation for a higher quality of life and a more productive adulthood. Music gives kids the skills they need to succeed in life," Mr. Dowdy continued. "It closes the achievement gap between classes that has long plagued our schools. It stimulates kids' confidence, cognitive abilities and imagination."

Susan Yutsey, past president of the Ohio Education Library Media Association, testified that current reporting leaves parents confused as to which personnel would have been included in the five-of-eight rule.

She said "students are entitled to a well-rounded education" and library media specialists, which were included in the former rule, can help students develop communication, teamwork and critical thinking skills.

Chairwoman Lehner said the State Board of Education passed a resolution that would require schools to report the number of certain types of teachers employed in the district. That information would be included on the state report cards. She asked if that would address the reporting requirements in the bill.

Bill sponsor Sen. LaRose said he would look at the resolution to ensure that the legislation doesn't overlap.

SB CARDIAC ARREST (<u>Hite, C., Patton, T.</u>) With regard to sudden cardiac arrest in youth athletic activities. (CONTINUED-AMENDED; 2nd Hearing-Proponent-Possible amendments)

The panel accepted an amendment that Sen. Hite said would permit physician assistants and athletic trainers to work in collaboration with a physician to determine whether a student should return to activity if he or she experiences a cardiac incident.

Dr. Laxmi Mehta, who testified on behalf of the Ohio Chapter of the American College of Cardiology, said student athletes are 3.5 times more likely to suffer sudden cardiac death than their peers, making the coach and school official training that's included in the measure necessary.

"The Ohio-ACC strongly supports SB 252 because its education and training provisions will help coaches and school officials identify problems before young athletes take the fields and courts as well as during competition," she said. "Moreover, the recent amendment, which provides immunity for coaches and others in civil actions, will encourage volunteers to work with the medical community to prevent sudden cardiac arrest."

Miss Ohio Lindsay Davis, who the bill is named after, said she has a heart condition that is tied to sudden cardiac arrest. But it went undetected through most of her athletic pursuits throughout her school year.

A majority - about 72% - of students who died of cardiac arrest reported having prior symptoms, she said.

"We just need to equip our coaches, teachers and parents with the tools to recognize these symptoms. And that's precisely why we're here today," Ms. Davis said.

Bob Williams, president of the Eastern Ohio Soccer Association for the Youth and a registered nurse, said he has asked his leagues to take up the issue of CPR and how to respond to cardiac arrest but it has not been addressed.

It's reasonable to expect coaches and others involved in sports to be trained to recognize cardiac arrest and respond to it, especially since they're already doing so for concussions.

Laura Harris, an associate clinical professor for the Athletic Training Division of Ohio University, said one in 100 children have an undetected heart condition that could lead to sudden cardiac arrest, yet only one out of 10 who suffer from such an event will survive.

She praised the inclusion of athletic trainers in the bill because they're well suited to spot the symptoms of a heart condition and to make decisions about when to return athletes to activity if a situation does occur.

"Given the athletic trainer's unique position in the athletic setting, we often see our patients each day and are in an advantageous position to facilitate participation decisions made by physicians with whom athletic trainers collaborate," she said. "Our collaborative practice with physicians can effectively strengthen the decision to return or remove athletes from participation."

Darren Sudman with Simon's Fund and Leigh Priano with Hearts Beat with Hope provided written testimony in support of the measure.

Subscribers Note: For full testimony visit the committee's website under April 12.

Energy & Natural Resources

SB HOUSEHOLD SEWAGE SYSTEMS (Eklund, J.) To authorize a board of county commissioners or 118 municipal legislative authority to elect to withdraw the county or municipal corporation from the application of any rule adopted after January 1, 2014, by the Department of Health governing the design of household sewage treatment systems. (CONTINUED; 2nd Hearing-Proponent)

Columbiana County Health Commissioner Wesley Vins said the bill would address current legal deficiencies in the process by which one can install a household sewage treatment system.

Mr. Vins said he participated in the drafting of the rules in question. The concerns the bill aims to address, although discussed at the time, were not adequately addressed in the final rules, he said.

"These deficiencies are having a detrimental impact on the timeliness and efficiency of installing septic systems and the resurrection of our residential construction industry," he said. "The current bill language clearly demonstrates the need to fix, at least in part, this newly established complex labyrinth of rules that create barriers to progress in many communities."

The lack of qualified septic installers and service professionals leads to long waiting lists and adds to the already steep upfront investment required, he said.

"Installation of illegal systems are increasing in occurrence due to the cost of repairs that many homeowners cannot afford and rule complexity that contractors do not understand or value," Mr. Vins said.

Written proponent testimony was submitted by Conneaut City Director of Environmental Health Herbert Shubick, Geauga County Health Commissioner Robert Weisdack, and retiree Erwin Leffel.

SB IMPROVEMENT DISTRICTS (Seitz, B.) To revise the law governing special improvement districts 185 created for the purpose of developing and implementing plans for special energy improvement projects. (CONTINUED-SUBSTITUTE (No testimony); 4th Hearing-All testimony-Possible vote)

The committee adopted a substitute bill that specifies the improvement projects in question must pertain to energy efficiency.

"Some people thought this was some sort of a stalking horse for remote aggregation of mini renewable projects," Sen. Seitz said. "It was never intended that way. Now it's clear."

One addition to the bill, he said, is clarification over how condominium property owners can register their intent to belong to special improvement districts.

Another addition pertains to the authorization of lake facility authorities, which Sen. Seitz said "really has nothing to do with the bill itself but was added at the request of the Senate President."

Sen. Seitz said the committee has heard no opponent testimony, but that interested parties did express some concerns behind the scenes over the bill's intent. That feedback, he said, is what drove the substitute version.

"Based on their input we have introduced the sub bill, further narrowing the bill so that it only deals with streamlining the administration of Property Assessed Clean Energy projects and specifically only those that deal with energy efficiency."

SB WATER SYSTEMS (Schiavoni, J.) To require a public water system to provide notice of lead 269 contamination not later than thirty days after becoming aware that lead contamination may effect the system's drinking water, to require the Director of Environmental Protection to provide the notice if the public water system fails to provide it, to require employees of the Environmental Protection Agency to provide continuing assistance to a public water system that fails to provide the required notice of lead contamination, and to require the Director to adopt rules that increase the monitoring frequency for lead and copper under specified circumstances. (CONTINUED; 1st Hearing-Sponsor)

Sen. Schiavoni said his bill aims to "further clarify" the oversight and responsibilities of the Ohio Environmental Protection Agency. The bill was prompted by recent controversy over lead contamination in the drinking water of some Sebring homes. (See <u>Gongwer Ohio Report, February 17, 2016</u>)

"The most troubling part about the Sebring water crisis is the fact that elevated lead levels were first discovered in October 2015, but the public had not been properly notified until almost four months after the fact due to missteps by local water officials," he said. "The Ohio EPA had also failed to intervene."

He acknowledged <u>Gov. John Kasich</u>'s recently unveiled OEPA-centric mid-biennium review bill - one of several MBR measures - which would likewise strengthen notification requirements for lead contamination. (See <u>Gongwer Ohio Report, March 31, 2016</u>)

"That being said, I believe my bill goes further to outline how local water officials should communicate with the Ohio EPA, as well as how the Ohio EPA should intervene when local water systems fail to notify the public," Sen. Schiavoni said.

The bill would give local water systems 24 hours to notify the OEPA of higher than normal lead levels - a provision Sen. Schiavoni called "critical." It would also give systems five days to notify the public and meet education requirements in instances of lead. Upon the system's failure to do so, the OEPA itself would assume those responsibilities.

Responding to a question from Sen. Gentile, Sen. Schiavoni said he was happy to see the governor's proposed MBR. He said one aspect of the MBR not present in Sen. Schiavoni's bill is low interest loans to replace aging service lines.

Sen. Schiavoni's bill and the MBR require different public notification timelines, but he said the important thing is that either bill would mark an improvement over the current timeline.

"That was the big problem in Sebring," he said. "The locals knew, Ohio EPA knew, but the people drinking water didn't know. At the end of the day if we can solve that problem, whether it comes from the MBR or this bill it doesn't matter."

Governor's Appointments: The committee reported the following governor's appointments: Frederick Cash to the Ohio Soil and Water Conservation Commission; James Krimmel and John Petkovsek to the Environmental Education Council; Kerry Krugh and David Kimberly to the Radiation Advisory Council; and Craig Porter to the Reclamation Commission.

Subscribers Note: For full testimony see the committee's website under April 12.

17 S. High St., Suite 630 Columbus Ohio 43215

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Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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Sarah LaTourette Kayser <latoursm@gmail.com>

ALEC Digital Exchange: Fighting Opioid Abuse; Union Policy Post-Friedrichs; Rich States, Poor States

1 message

American Legislative Exchange Council <avarner@alec.org>
To: latoursm@gmail.com

Thu, Apr 14, 2016 at 12:02 PM





Digital Exchange





ALEC_states

Just out: 2016 Rich States, Poor States economic outlook for every state — https://k.co/qPWKvdn16J #RSPS #ALECIdeas https://t.co/L.Op2d 7qjVT





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ALEC Conference Call: Fighting Opioid Abuse

Join Congresswoman Susan Brooks (IN-5) on a conference call to hear about her proposed policy reforms to fight the growing prescription drug and heroin abuse epidemic.

Date: Wednesday, April 20

Time: 1:30 PM ET

Speaker: Representative Susan Brooks (IN-5)

Rep. Brooks will discuss several areas of need critical to reducing the number of painkiller and heroin overdose deaths each year, prescription drug monitoring programs for law enforcement and patient awareness.

RSVP Here

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Sarah LaTourette Kayser < latoursm@gmail.com>

Response to Ron Young's pamphlet against PLAs

1 message

Bobby Ina

Seply-To: Bobby Ina

bobbyina@ymail.com>
To: Bobby Ina

To:

Mon, Apr 18, 2016 at 4:58 PM

This email is in response to an open memo State Representative Ron Young is spreading to House members (the pamphlet is attached).

I would like to make some things clear that I believe Ron has distorted to serve his own purpose:

- Project Labor Agreements, or commonly referred to as PLAs, are fair, legal and ethical. A Union CANNOT force an owner of a project to put a PLA on that project. It is 100% up to the owner of the project if there would like a PLA or not. PLA's are created at the choice of the owner, not forced on an owner by a Union.
- This amendment would absolutely "ban" PLA's from being established on any state funded projects, that includes money distributed from the Main Operating Budget, subsequent MBRs, Capital Bills, etc.. If there is state money associated with that specific project then a PLA would not be allowed on that project if this amendment is passed. Unfortunately Ron Young is trying to make a play on words but the meaning behind "prohibit or require" categorically means "bans".
- PLAs are designed to help projects move smoothly, on time and within the terms of the budget, however, most of the time, PLA projects are done before the allotted time specifications and are below budget. This is the reason why they are so popular on large projects.
- Numerous organizations use PLAs, such as the Cleveland Clinic, University Hospitals, Cleveland Indians, Cleveland Browns, Hollywood Casino in Toledo, Horseshoe Cleveland Casino, Hollywood Dayton Raceway, Horseshoe Casino in Cinncinati, Honda of America in Ohio and countless cities and counties because they know the benefits of using PLAs, not because a union forced them to use a PLA.
- I would consider the proposed anti-PLA amendment as "discriminatory" because it would prevent a number of entities, both public and private that have state funding, from using a PLA on a project. Isn't the traditional sense of the Republican Party the party of less government? Adding restrictions like this to local governments and private enterprises goes against the principals of the republican party.
- Lastly, Ron Young has again distorted the truth when it comes to West Virginia. I have clients in WV, I work in WV and know exactly what happened with the Democratic Governor signed anti-PLA legislation into law. The House in WV has a republican super majority and the Senate has a republican simple majority. In WV, all you need is a simple majority, 50% +1 to overturn a Governors' veto and the legislature absolutely had that. This Governor 100% did not want to sign anything like this into law, he was forced to because of the restrictions on his veto authority. A major fact missing in Ron's mention of WV.

Please feel free to call me if you have any questions. Thanks!

Bobby Ina, Managing Director Metropolis Consulting, LLC 3397 Ledgewicke Circle Fairlawn, OH 44333 (216) 973-4088 metropolisconsulting.com peopleinpolitics.us bobbyina@ymail.com

PLA Summary 4-12-16.pdf 278K

Columbus Office

Vern Riffe Center
77 S. High Street
13th Floor
Columbus, Ohio 43215-6111
(614) 644-6074
(800) 282-0253
Rep6l@ohiohouse.gov
www.ohiohouse.gov



Ron Young State Representative

61 House District

Lake County

Committees

Chairman: Commerce and Labor Armed Services, Veterans Affairs, and Public Safety Economic and Workforce Development Community and Family Advancement

Ending Discrimination During the Public Works Bidding Process

- The Project Labor Agreement (PLA) amendment is a call for fairness. It ensures that the state
 neither "prohibits nor requires" PLAs in bids for public construction. Under its provisions,
 bidders are free to include PLAs in their bid specifications and the state is required to fairly
 consider all bids submitted.
- Also the amendment ensures that no state monies go to a local government project that would "prohibit or require" PLAs in its bidding requirement. A local government may discriminate by requiring PLA-only bids, but they would not be eligible to use state dollars for those projects.
- Union organizations will be able to compete and compete well for state contracts. This
 amendment does not change requirements that all public works projects pay a prevailing
 wage; therefore concerns about low ball bids from companies that don't pay a living wage are
 non sequitur.
- To be clear: Under this amendment, a project with a PLA has every chance that a project without a PLA has to win the bid. Projects should be chosen because they are the lowest responsive and responsible bidder. This amendment helps ensure that.
- <u>Promotes Fair Competition</u>: This removes a barrier to bidding on a project by allowing all companies to bid regardless of their labor affiliation.
- <u>Lowers Cost</u>: This amendment would increase the number of bidders, and in turn, costs will be reduced.
- Recently Michigan passed a very similar bill. This bill was upheld by the US 6th circuit court of appeals (MBCTC v. Snyder). The Governor of W.V., a democrat, just signed a PLA bill. 22 states to date have passed very similar PLA legislation.
- A few years ago by Executive Order President Bush called for an end to discrimination in federal public works projects by stating that federal agencies could neither, "require nor prohibit project labor agreements". The same language used in our budget amendment. As one of his first actions as President, Barack Obama ended this order and encouraged the use of these discriminatory practices by the Federal Government.



Sarah LaTourette Kayser < latoursm@gmail.com>

Ohio Report, Tuesday, April 19, 2016

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com> To: sml@sarahlatourette.com

Tue, Apr 19, 2016 at 6:03 PM



Ohio Report for Tuesday, April 19, 2016

Sponsor Outlines Medical Marijuana Bill As Select House Committee Begins Work

Two-year, \$2.6 Billion Capital Bill Set For Wednesday Floor Vote In Senate

Federal Judge Dismisses Lawsuit Over Drug Price Initiated Statute

Brenner, Huffman Introduce Pilot Program To Reduce Heroin Overdose Deaths

Bill Allowing Free Samples From Restaurants, Craft Breweries Advances in House

Proponents Tout Benefits Of 'Hot Car' Measure

Ohio Supreme Court Liability Rulings: 'Edge Drop' Not Part Of Roadway; ODNR Must Pay For Injuries Caused By Mower

School Bus Safety Measure Draws Mixed Reviews From Senate Panel

Tax Exemption Bill Draws Debate, Clears House Committee Following Amendment

Sponsors Tout Agritourism Measure As Economic Boon, Teaching Tool

Former U.S. Senator Pushes Lawmakers To Support Convention Of States

Zero-Emission Fuel Cell Bus Makes Ohio Debut

Governor's Appointment

Attorney General's Opinion

Supplemental Agency Calendar

Supplemental Event Planner

Senate Committee Hearings

Finance

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Financial Institutions

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House Committee Hearings

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4 attachments

- 160419dayplan.htm 66K
- Apr19House.htm
- Apr19Senate.htm 33K
- Apr19.htm 68K

Daily Activity Planner for Wednesday, April 20

Legislative Committees

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), South Hearing Rm., 8:45 a.m.

<u>SB</u> AGENCY RULEMAKING (<u>Uecker</u>, <u>J.</u>) To reform agency rule-making and legislative review thereof. (1st <u>303</u>Hearing-Sponsor)

<u>SB</u> PAWNBROKERS (<u>Eklund, J.</u>) To make changes to the law relating to pawnbrokers. (1st Hearing-Sponsor) 270

SB PAROLE ELIGIBILITY (Thomas, C., Eklund, J.) To provide special parole eligibility dates for persons 272 with an indefinite or life sentence imposed for an offense committed when the person was less than 18 years of age, to require the Parole Board to consider specified mitigating factors in those cases, and to require notice to the Ohio Public Defender and prosecuting attorney prior to the parole consideration hearing. (1st Hearing-Sponsor)

<u>HBDRUG ADDICTION TREATMENT (Green, D., O'Brien, S.)</u> Regarding encouraging pregnant women <u>325</u>who are addicted to controlled substances to seek treatment. (1st Hearing-Sponsor)

<u>SB</u> NATURAL RESOURCES (<u>Balderson, T.</u>) To revise specified laws relating to natural resources. (1st <u>293</u>Hearing-Sponsor)

House Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 018, 9 a.m.

HBBODY CAMERAS (Boyce, K., Grossman, C.) To require law enforcement agencies that use body cameras 407 to adopt written policies for operation of the cameras and to require agencies to make the adopted policies available to the public. (3rd Hearing-Opponent & interested party)

HBBOARDING SCHOOL ZONE (<u>Patterson</u>, <u>J.</u>, <u>Roegner</u>, <u>K.</u>) To authorize a municipal corporation or <u>455</u>township to establish a boarding school zone and a special speed limit within that zone. (3rd Hearing-Opponent & interested party)

HBPOLICE DISTRICT (Hagan, C., Sprague, R.) To establish a joint police district, to modify the membership 462 of a joint police district governing body, to expand the offense of solicitation to also apply to a person who agrees with another to engage with the other person in sexual activity for hire, to provide that the "prescription exemption" from the drug possession offenses does not apply to a person who uses more of the drug than the maximum prescribed amount per day or the maximum amount to be used within the prescription timeline or who administers or takes the drug in a manner not prescribed by the prescribing health professional, and to provide immunity from civil liability to a peace officer who administers naloxone to a person who is apparently experiencing an opioid-related overdose. (4th Hearing-All testimony-Possible vote)

HBTRAFFIC ARRESTS (Hambley, S., Rezabek, J.) To authorize law enforcement officers of township police 378 districts and joint police districts, and township constables, serving specified small populations to make arrests for motor vehicle-related violations committed on an interstate highway in the same manner as township law enforcement officers serving larger populations. (4th Hearing-All testimony-Possible vote)

<u>House Financial Institutions, Housing & Urban Development</u> (Committee Record) (Chr. <u>Terhar, L.</u>, 466-8258), Rm. 113, 9 a.m.

HBMORTGAGE FORECLOSURES (Dever, J.) To establish expedited actions to foreclose mortgages on 463 vacant and abandoned residential properties, to permit private selling officers to conduct judicial and execution sales of real property, to state the intent of the General Assembly regarding mortgage foreclosure actions, to revise the Commercial Paper Law relating to mortgages and lost instruments, and to make other changes relative to foreclosure actions. (2nd Hearing-Proponent-Possible amendment)

Senate Health & Human Services (Committee Record) (Chr. Jones, S., 466-9737), North Hearing Rm., 9 a.m.

- **SB** AWARENESS DAY (Bacon, K.) To designate the first day of June as "Hypoparathyroidism Awareness 225 Day." (3rd Hearing-All testimony-Possible vote)
- **HB** MONTH DESIGNATION (<u>Johnson</u>, <u>T.</u>) To designate April as "Osteopathic Medicine Recognition 352 Month." (3rd Hearing-All testimony-Possible vote)
- <u>SB</u> MALNUTRITION (<u>Manning, G.</u>) To create the Malnutrition Prevention Commission to study <u>245</u> malnutrition among older adults. (3rd Hearing-Opponent & interested party)
- SB AWARENESS MONTH (Skindell, M.) To designate the month of May as "Multiple Chemical Sensitivity Awareness Month." (2nd Hearing-All testimony)
- HB DRUG SALES (Rezabek, J.) To prohibit the over-the counter sale, without a prescription, of
- 197 dextromethorphan to a person who is under 18 years of age. (2nd Hearing-Proponent)
- HB AWARENESS MONTH (Barnes, J.) To designate January as "Thyroid Health Awareness Month." (2nd 219 Hearing-All testimony)
- **HB** WEEK DESIGNATION (Blessing, L.) To designate the first week of December as "Crohn's and Colitis **260** Awareness Week." (2nd Hearing-All testimony)
- HB AWARENESS DAY (Sheehy, M., Patterson, J.) To designate February 17th as "Annie Glenn 431 Communication Disorders Awareness Day." (2nd Hearing-All testimony)

House Health & Aging (Committee Record) (Chr. Gonzales, A., 466-4847), Rm. 116, 9:30 a.m.

- HB CHIROPRACTORS (Schuring, K.) To authorize chiropractors to engage in certain activities involving nutrition-related items and therapies, nonprescription drugs, and medical goods and devices. (5th Hearing-All testimony-Possible vote)
- <u>HB PALLIATIVE CARE FACILITIES (Schuring, K.)</u> Regarding palliative care facilities. (1st Hearing-470 Sponsor)
- HB BIOLOGICAL PRODUCTS (Huffman, S., Pelanda, D.) Regarding the regulation of biological products and the substitution of interchangeable biological products when dispensed by pharmacists. (1st Hearing-Sponsor & proponent)
- HB AWARENESS DAY (<u>Terhar, L., Johnson, T.</u>) To designate January 31 as 'Omphalocele Awareness Day.' 490 (1st Hearing-Sponsor)
- HB PARKINSON'S REGISTRY (Grossman, C., Schuring, K.) To establish the Ohio Parkinson's Disease and 499 Movement Disorder Registry. (1st Hearing-Sponsor)

House Education (Committee Record) (Chr. Brenner, A., 466-6711), Rm. 121, with overflow in 122, 9:30 a.m.

- Presentation from Ohio Department of Education on Standards and Assessments
- HB ORGAN DONATION (Grossman, C., Phillips, D.) To require the health curriculum of each school district 137 to include instruction on the positive effects of organ and tissue donation. (3rd Hearing-All testimony)
- HB TRUANCY (Rezabek, J., Hayes, B.) With regard to habitual and chronic truancy and compulsory school attendance. (4th Hearing-All testimony-Possible substitute & vote)

Senate Ways & Means (Committee Record) (Chr. Peterson, B., 466-8156), Finance Hearing Rm., 9:30 a.m.

- TAX EXEMPTION (Burke, D., Gardner, R.) To exempt the first \$500 of prescription eyeglasses, contact 216 lenses, and other optical aids sold by licensed dispensers from sales and use tax. (2nd Hearing-Proponent)

 HB TAX LAWS (Green, D.) To extend the deadline for filing an application for the homestead exemption or 2 166 1/2% property tax rollback to the end of the tax year, to require that auditors certify Local Government Fund allocations to subdivisions by regular or electronic, rather than certified mail, to require that notices of appeal from a decision of the Board of Tax Appeals originating with a county board of revision be filed with that board and the county auditor, to clarify the effect of certain certifications related to the repealed personal property tax, and to repeal laws requiring county auditors to issue permits for traveling shows, issue licenses for new merchandise public auctions, certify the annual state tax interest rate to local courts. (2nd Hearing-Proponent)
- <u>HCRMUNICIPAL BONDS (Sprague, R.)</u> To urge the President of the Unites States to preserve the tax-exempt status of municipal bonds. (2nd Hearing-All testimony-Possible vote)
- AGRICULTURAL LAND (<u>Hite, C.</u>) To require that the computation of the capitalization rate for the 246 purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup and to stipulate that CAUV land used for a conservation practice or enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type. (3rd Hearing-Opponent)
- **SB** TAX PAYMENTS (Eklund, J.) To revise the law governing how taxes on income from pass-through **288** entities is to be reported and paid by the entities and their investors. (2nd Heairng-Proponent)
- <u>SB</u> PROPERTY TAXES (<u>Beagle</u>, <u>B.</u>, <u>Coley</u>, <u>B.</u>) To exempt from property tax the increased value of property <u>235</u> on which industrial or commercial development is planned until construction of new commercial or industrial facilities at the property commences. (5th Hearing-All testimony-Possible amendments & vote)

House Finance (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 10 a.m.

- SB TAX HOLIDAY (Bacon, K.) To provide for a three-day sales tax "holiday" in August 2016 during which 264 sales of back-to-school clothing and school supplies are exempt from sales and use taxes. (2nd Hearing-All testimony-Possible amendments & vote)
- HBDATA OHIO BOARD (Hagan, C., Duffey, M.) To create the DataOhio Board, to specify requirements for 130 posting public records online, to require the Auditor of State to adopt rules regarding a uniform accounting system for public offices, to establish an online catalog of public data at data.Ohio.gov, to establish the Local Government Information Exchange Grant Program, and to make an appropriation. (3rd Hearing-All testimony-Possible amendments & vote)

<u>HB</u>HIGHER EDUCATION (<u>Brown, T.</u>) With respect to the coordination and administration of higher <u>474</u>education programs and the College Credit Plus program. (1st Hearing-Sponsor)

Senate Transportation, Commerce & Labor (Committee Record) (Chr. LaRose, F., 466-4823), North Hearing Rm., 10:15 a.m.

- Informal hearing on bill from Sen. Manning on Department of Transportation appropriation changes
- **SB** TRANSPORTATION FUNDING (Manning, G.) To make supplemental appropriations related to 315 transportation for the biennium beginning July 1, 2015, and ending June 30, 2017, and to declare an emergency. (Informal hearing)
- HB WASTE VEHICLES (Cera, J., Rogers, J.) To require motor vehicle operators to take certain actions upon 58 approaching a stationary waste collection vehicle collecting refuse on a roadside. (1st Hearing-Sponsor)
- SB LICENSE PLATE (Williams, S.) To create the Improved Benevolent and Protective Order of Elks of the 282 World (IBPOEW) license plate. (1st Hearing-Sponsor)
- <u>SB</u> LICENSE PLATE (<u>Lehner</u>, <u>P.</u>) To create the 'Ohio Association of Child Caring Agencies' license plate. 231 (2nd Hearing-All testimony-Possible vote)
- SB LICENSE PLATE (Hughes, J.) To create the "Ohio Nurses Association" license plate. (2nd Hearing-All

233 testimony-Possible vote)

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.

Senate Criminal Justice (Committee Record) (Chr. Eklund, J., 644-7718), North Hearing Rm., 11:15 a.m.

EXPUNGEMENT (Obhof, L.) To provide that a person who is found not guilty of an offense by a jury or a 284 court or who is the defendant named in a dismissed complaint, indictment, or information may apply to the court for an order to expunge the person's official records in the case if the complaint, indictment, or information or finding of not guilty was the result of the applicant having been a victim of human trafficking and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. (1st Hearing-Sponsor)

HBLICENSE SUSPENSIONS (Baker, N., Manning, N.) To modify the law governing the termination or 300 modification of a lifetime driver's license suspension or a class two suspension that exceeds fifteen years and to specify that a class one driver's license suspension for a specified aggravated vehicular homicide offense begins upon the offender's release from prison. (2nd Hearing-Proponent)

HBFAILURE TO STOP (Hill, B.) To increase the penalty for failure to stop after a traffic accident that results 110 in the death of a person or serious physical harm to a person and to name this act Brandon's Law. (7th Hearing-All testimony-Possible amendments)

HBRECORD SEALING (Pelanda, D., Rogers, J.) To allow a person who is convicted of an offense that may 164 not be sealed to apply to have the conviction sealed if, before the person makes that application, the offense is changed so that it may be sealed. (4th Hearing-All testimony-Possible amendments & vote)

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

House State Government (Committee Record) (Chr. Maag, R., 644-6023), Rm. 121, 2:30 p.m. or after session

<u>HCREDUCATION ACT (McColley, R.)</u> To urge the United States Congress to pass the ADA Education and 32 Reform Act of 2015. (3rd Hearing-All testimony-Possible vote)

HB DAY DESIGNATION (Romanchuk, M., Amstutz, R.) To designate February 3 as "Charles Follis Day." 449 (2nd Hearing-All testimony-Possible vote)

HB PERRY COUNTY COURT (Hayes, B.) To create the Perry County Municipal Court in New Lexington 495 on January 1, 2017, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Perry County Courty Court on that date, to designate the Perry County Clerk of Courts as the clerk of the Perry County Municipal Court, and to provide for the election for the Perry County Municipal Court of one full-time judge in 2017. (1st Hearing-Sponsor-Possible amendments)

SB AWARENESS MONTH (Seitz, B., Tavares, C.) To designate the month of April as "Genocide Awareness 188 Month." (1st Hearing-Sponsor)

SCR TOXIC EXPOSURE (<u>Uecker</u>, J.) To urge the United States Congress to pass and the President to sign into law the Toxic Exposure Research Act of 2015. (1st Hearing-Sponsor)

HB MILITARY RECORDS (Perales, R.) To specify that an order for active military service or other documentation regarding the call to order of an individual in the Armed Forces of the United States or the Ohio organized militia is not a public record. (2nd Hearing-Proponent)

Senate Civil Justice (Committee Record) (Chr. Bacon, K., 466-8064), Finance Hearing Rm., 2:30 p.m. or after session

SB LIFE-SUSTAINING TREATMENT (<u>Lehner</u>, <u>P</u>.) To establish procedures for the use of medical orders for <u>165</u>life-sustaining treatment and to make changes to the laws governing DNR identification and orders. (4th Hearing-All testimony-Possible amendments & vote)

SB BICYCLE HELMETS (Jones, S.) To generally require any person under sixteen years of age to wear a 157 helmet while on a bicycle, to require bicycle rental businesses to inform any person under sixteen years of

- <u>SB</u> CHILD SUPPORT (<u>Jones</u>, <u>S.</u>) To make changes to the laws governing child support. (2nd Hearing-<u>262</u>Proponent)
- SB CIVIL LIABILITY (<u>Lehner</u>, <u>P</u>.) To modify the qualified immunity from civil liability for volunteer health <u>292</u>care services provided to indigent and uninsured persons and to permit health care professionals to earn continuing education credit by providing volunteer health care services to indigent and uninsured persons. (1st Hearing-Sponsor)
- SB VOTING HOURS (Seitz, B.) To specify the conditions under which a court may order that a polling place 296be kept open for extended hours on the day of an election and to require a person who votes pursuant to such an order to cast a provisional ballot. (1st Hearing-Sponsor)
- **SB PERRY COUNTY COURTS** (Hottinger, J.) To create the Perry County Municipal Court in New Lexington 299 on January 1, 2017, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Perry County Court on that date, to designate the Perry County Clerk of Courts as the clerk of the Perry County Municipal Court, and to provide for the election for the Perry County Municipal Court of one full-time judge in 2017. (1st Hearing-Sponsor)
- SB PREGNANCY ACCOMMODATIONS (Jones, S., Cafaro, C.) To enact the "Pregnancy Reasonable 301 Accommodation Act" to generally require employers to make reasonable accommodations for employees who are pregnant or breastfeeding. (1st Hearing-Sponsor)

House Select Committee on Medical Marijuana (Chr. Schuring, K., 752-2438), Rm. 313, 3 p.m.

<u>HB</u> MEDICAL MARIJUANA (<u>Huffman, S.</u>) To authorize the use of marijuana for medical purposes and to <u>523</u> establish the Medical Marijuana Control Program. (2nd Hearing-All testimony)

Joint Medicaid Oversight Committee (Committee Record) (Chr. Burke, D., 466-1731), Rm. 113, 3 p.m. or after session

- This is a meeting of the Subcommittee on Department of Health Programs Ryan White Part B
- Review of the Ryan White Part B Program and Statewide Efforts around HIV/AIDS by Gregory Craig, Joint Medicaid Oversight Committee; Shancie Jenkins, Ohio Department of Health; Patrick Beatty, Ohio AIDS Coalition and Tara Britton, Center for Community Solutions

Senate Medicaid (Committee Record) (Chr. Burke, D., 466-8049), North Hearing Rm., 3 p.m.

- HCRDD EMPLOYMENT SERVICES (Romanchuk, M., Antonio, N.) To urge the Congress of the United States to request that the federal Centers for Medicare and Medicaid Services revise its guidance on employment services for individuals with developmental disabilities to maintain their right to participate in programs offered by facility-based day programs, training centers and sheltered workshops. (1st Hearing-Sponsor)
- **SB** MEDICAL TRANSPORTATION (Patton, T.) To increase the Medicaid payment rates for certain 248 medical transportation services. (2nd Hearing-Proponent)
- SB STEP THERAPY (<u>Lehner, P., Tavares, C.</u>) To adopt requirements related to step therapy protocols 243 implemented by health plan issuers and the Department of Medicaid. (2nd Hearing-Proponent)
- HB PRESCRIPTION REFILLS (Brown, T., Ginter, T.) To provide for partial drug prescription refills for the purpose of synchronizing multiple prescriptions for one patient. (4th Hearing-All testimony-Possible amendments & vote)

Agency Calendar

Casino Control Commission, Lobby Hearing Room, 30 East Broad Street, Columbus, 10 a.m.

Construction Industry Licensing Board, OCILB Conf. Rm., 6606 Tussing Rd., Reynoldsburg, 10 a.m. (Administrative Section)

Small Business Advisory Council, 77 S. High Street, 31st Floor, Room South A, Columbus, 10 a.m.

State Personnel Board of Review, 65 E. State St., 12th Fl., Columbus, 10 a.m.

Event Planner

Faith community and parent group news conference supporting clean energy, West Lawn, Statehouse, Columbus, 11 a.m.

Rep. Dan Ramos (D-Lorain) & Sen. Michael Skindell (D-Lakewood) news conference on Supreme Court nominee, Harding Senate Press Room, Statehouse, Columbus, 12 p.m.

Republican Senate Campaign Committee fundraiser, Athletic Club of Columbus, The Gold Room, 136 East Broad Street, Columbus, 5 p.m., (Event Chair \$5,000; Event Host \$2,500; Event Sponsor \$1,000 or \$500 per person to Republican Senate Campaign Committee)

Rep. Steve Huffman (R-Tipp City) and Rep. Jim Buchy (R-Greenville) fundraiser, Athletic Club of Columbus - Parlor E, 136 E. Broad Street, columbus, 5 p.m., (Chair: \$1,000; Sponsor: \$500; Individual: \$350 to Steve Huffman for State Rep and/or Citizens for Buchy)

Bricker & Eckler LLP Legislative Reception, 100 South Third St., Columbus, 5 p.m.

Rep. Martin Sweeney (D-Cleveland) fundraiser, Dempsey's, 346 S. High St., Columbus, 5 p.m., (\$25, \$100, \$500 or \$1,000 to Friends of Martin J. Sweeney)

Rep. Nick Celebrezze (D-Parma) and Rep. Jack Cera (D-Bellaire) fundraiser, Happy Greek, 660 N. High St., Columbus, 5 p.m., (Sponsor: \$1,500, \$1,000, \$500, \$250 to Friends of Nicholas J. Celebrezze and/or Jack Cera for State Rep.)

17 S. High St., Suite 630 Columbus Ohio 43215

Phone: 614–221–1992 | Fax: 614–221–7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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House Activity for Tuesday, April 19, 2016

INTRODUCED

<u>HB</u> SCHOOL RATINGS (<u>Cupp, R., Smith, R.</u>) To review the value-added progress dimension measure used 524 for purposes of state report card ratings for school districts and schools.

HB 911 CALLS (Johnson, G.) To require multi-line telephone systems to have a default configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit or code. Am. 128.70, 128.71, 128.72, 128.73, 128.74, and 128.75

HB ANIMAL TRESPASSING (Bishoff, H.) To prohibit a person from killing or injuring a cat or dog that is 526 trespassing on the person's property. Am. 959.04

CALENDAR FOR COMING SESSION

HBVETERAN IDENTIFICATION (Anielski, M., Terhar, L.) To authorize county recorders to issue Ohio 173 veterans identification cards.

HB911 LEVIES (Brenner, A.) To authorize a county, township, or municipal corporation to impose a 9-1-1 277 system levy in only the portion of the subdivision that would be served by the 9-1-1 system.

HBLIQUOR LAWS (Perales, R., DeVitis, T.) To increase the amount of spirituous liquor that an A-3a liquor 351 permit holder may annually manufacture and to allow an A-3a permit holder to obtain an A-1-A liquor permit.

HBEXECUTIVE SESSION (Brinkman, T.) To add to the purposes for which a board of township trustees may 413go into executive session, to permit a township to charge for recycling services, to reduce the population threshold for a township to adopt a limited home rule form of government, to authorize a township to purchase, lease, or provide underwater rescue and recovery equipment for fire and rescue purposes, to authorize boards of township trustees to pay for group life insurance for any employee, to make other changes to the township laws, to allow taxing units to use the proceeds of a fire, police, or emergency services tax levy to pay costs related to the service for which the tax is levied, and to expand the public infrastructure improvements townships, municipal corporations, and counties may pay for using money from their public improvement tax increment equivalent funds.

<u>HBAUTO TECHNICIANS</u> (<u>Antani, N., Reineke, B.</u>) Regarding employers of automotive technicians and <u>429</u>motor vehicle technicians participating in the Incumbent Workforce Training Voucher Program.

COMMITTEE HEARINGS

Ways & Means

HB TAX DEDUCTION (Rogers, J.) To enact the "Blair Deduction" to allow recent college graduates to claim an income tax deduction for qualified higher education expenses. (CONTINUED; 2nd Hearing-Proponent)

Catherine Bush, a senior vice president for Lakeland Community College, submitted written proponent testimony on how the bill would support Lakeland students.

"The opportunity to earn a credential at an affordable local institution in order to obtain employment, possibly in a high demand or new industry or technology, is critical to the economic well-being of our taxpayers," Ms. Bush wrote.

At her college, tuition is approximately \$3,286 for a full-time student in the most recent academic year, she wrote. Although that's more affordable than a four-year institution, 49% of Lakeland students still required some form of financial aid.

"Lakeland supports efforts to remove financial barriers for students to drive persistence to completion or to encourage them to turn and finish their degree," Ms. Bush wrote. "This deduction for qualified higher education expenses will be especially appreciated by graduates at a time when they are faced with repayment of educational debt."

HB SAVINGS ACCOUNTS (<u>Dever, J., Conditt, M.</u>) To allow an income tax deduction for contributions to 358 ABLE savings accounts. (CONTINUED; 2nd Hearing-Proponent)

Ohio Developmental Disabilities Council liaison Paul Jarvis testified that the bill would address an instance of inequality by giving families contributing to an ABLE savings account the same deductions received by a family contributing to a 529 savings program.

"Currently, families who chose to save for their child's college education can do so and reap a state income tax deduction of up to \$2,000 per year," Mr. Jarvis said. "However, families choosing to make this same investment in their child's disability expenses do not realize a similar benefit.

"In the face of greater challenges, family members of people with disabilities are seeking equal footing," he added.

Submitting written proponent testimony were National Down Syndrome Society President Sara Hart Weir and The Arc of Ohio CEO Gary Tonks.

HBTAX EXEMPTION (Green, D.) To exempt from property taxation any retail store operated by a nonprofit 409 housing organization that sells donated items suitable for residential housing purposes. (REPORTED-AMENDED (See-separate story); 3rd Hearing-All testimony-Possible amendments & vote)

SB TAX HOLIDAY (Bacon, K.) To provide for a three-day sales tax "holiday" in August 2016 during which 264 sales of back-to-school clothing and school supplies are exempt from sales and use taxes. (REREFERRED TO RULES & REFERENCE; 1st Hearing-Possible re-referral)

The committee voted to re-refer the bill to the House Rules & Reference Committee. Chairman McClain said the bill was mistakenly assigned to the committee last week. Prior to being referred to Ways and Means, the bill had just cleared its first hearing before the House Finance Committee.

Subscribers Note: For full testimony, see the committee's website under April 19.

Agriculture & Rural Development

SBAGRITOURISM (Jones, S., Peterson, B.) To limit the authority of a board of county commissioners or 75 board of township trustees to prohibit agritourism through zoning, to apply current agricultural use valuation to land used for agritourism for property tax purposes, and to establish immunity in a civil action for agritourism providers. (CONTINUED (See separate story); 1st Hearing-Sponsor)

HCRHOPEWELL EARTHWORKS (Scherer, G.) To express support for the nomination of the Hopewell

23 Ceremonial Earthworks as a United Nations Educational, Scientific, and Cultural Organization (UNESCO) World Heritage Site. (CONTINUED; 1st Hearing-Sponsor)

The measure expresses the General Assembly's support for including the Hopewell Ceremonial Earthworks as a United Nations Educational, Scientific, and Cultural Organization (UNESCO) World Heritage Site.

"World Heritage designation brings not only international recognition, but huge increases to international and domestic tourism and job creation. The World Heritage designation would significantly increase tourism to Ohio by around 200,000 visitors annually. An estimated 10 percent of those visitors would be international," sponsoring Rep. Scherer told the committee.

"This would result in about \$56 million in incremental direct spending, \$80 million in total spending increases, growing to \$100 million annually after five years. The initial financial impacts would create \$21 million in additional annual wages in Ohio and over \$5 million in annual state and local tax revenues," he added.

Rep. Patterson questioned how unique the designation would be for the state and the region.

Todd Kleismit, director of community and government relations at the Ohio History Connection, said it would be the first of its kind in Ohio and one of few in the Midwest. Across the country, just 23 sites have the designation, he said.

Rep. Schaffer complimented the bill.

"I'm a big fan of this program. There's not a whole lot I like about the United Nations and a lot of their efforts," he said. "This is an excellent resolution and I think we need to pass it and put it into action."

Subscribers Note: For full testimony, visit the committee's website under April 19.

Transportation & Infrastructure

HB 397LICENSE PLATE (Thompson, A.) To create the "I Stand with Israel" license plate. (CONTINUED; 1st Hearing-Sponsor)

Rep. Thompson said the bill shows the state's support for Israel, which he described as America's most loyal ally in the Middle East.

He said the plate would generate funds for the United Hatzalah of Israel, which provides emergency medical services in the nation.

Rep. Sheehy raised some concerns about funds being directed to the organization. Rep. Thompson said he identified the group as a funding recipient because it isn't seen as volatile or controversial and provides an important service.

Rep. Sheehy added it could prove difficult to see how the donated funds are being spent.

Mr. Thompson said South Carolina already has an Israel solidary license plate.

HB LICENSE PLATE (Antani, N.) To create the "National Aviation Hall of Fame" license plate. **428** (CONTINUED; 2nd Hearing-Proponent)

Melissa Paule, office administrator at the National Aviation Hall of Fame, offered support for the bill. She said the organization was founded in 1962 with the goal of honoring air and space legends and inspiring visitors.

The group has endured some lean years, but said revenues generated from the sale of the plate would help shore up operations, she said. In addition, having the group's logo on Ohio license plates would raise awareness of the Dayton facility.

HB 457LICENSE PLATE (Hill, B., Ryan, S.) To create the "Fallen Linemen" license plate. (CONTINUED; 1st Hearing-Sponsor)

Rep. Ryan said the measure would raise awareness of and generate funds to support the families of fallen electrical linemen. He said those working in the field are regularly first to arrive at dangerous situations, and perform their jobs in often-difficult weather conditions.

Even when weather conditions are idea, he said they work in the face of danger.

Rep. Hill added that 45 linemen die in the line of work across the country each year.

Chair Boose said linemen are first responders in many cases. The sponsors told <u>Rep. Greta Johnson</u> that the funds generated through the plate would be directed to a national organization.

<u>HB</u> LICENSE PLATE (<u>Roegner</u>, <u>K.</u>) To establish the Cuyahoga Valley National Park license plate and to require a \$15 contribution for the issuance of the license plate. (**CONTINUED**; 2nd Hearing-Proponent)

Eugene Paule, a park ambassador for the Cuyahoga Valley National Park, testified in support. He said Ohio is fortunate to have such a park within its borders, and said funds would help support park programs.

Commerce & Labor

HBCRIMINAL RECORDS (Barnes, J.) To enact the Fair and Accurate Reporting of Criminal Records Law, to 172 require certain business entities that publish criminal record information to ensure that the information is complete and accurate, to provide a procedure by which a subject of published criminal record information may have incomplete or inaccurate information corrected or removed from the publication, and to provide remedies for the failure of a business entity to remove or correct incomplete or inaccurate information. (REPORTED (No testimony); 6th Hearing-All testimony-Possible vote)

HB MUSIC THERAPISTS (<u>Dovilla, M., Antonio, N.</u>) To require the licensure of music therapists and to 184 require the State Medical Board to regulate the licensure and practice of music therapists. (**CONTINUED**; 3rd Hearing-All testimony)

Erin Spring, a board certified music therapist who owns Central Ohio Music Therapy, said it's been difficult establishing her business in the state because there is no state licensure for music therapists.

That means there is no way to serve state agencies or schools without raising special funds because there are no reimbursement programs for music therapy, she said.

"For those needing music therapy, it may mean a missed opportunity to gain or regain skills that may have a significant impact on their ability to participate in the workforce and contribute to their community," Ms. Spring said. "For others it may mean the loss of interventions and coping skills that could contribute to a decreased need to use and abuse medications and illegal drugs."

"As a business, each time an Ohio consumer or agency is unable to obtain funding for their music therapy services, it means lost opportunities for increased labor and taxable revenue," she added. "Unable to hire and fund a qualified music therapist, some agencies turn to inadequately skilled volunteers and staff to deliver music for therapeutic purposes. This easily opens the door to unethical, unsafe practices and negative outcomes."

Dwyer Conklyn, government relations chair for the Association of Ohio Music Therapists, shared similar concerns.

Rep. DeVitis asked who would provide the reimbursement for services if state licensure exists. Ms. Spring said mainstream insurance companies and Medicaid could cover the costs for individuals who would benefit from music therapy.

She told Rep. Arndt that there are some Medicaid waivers that allow for reimbursement of some services provided by non-licensed professionals, but they are limited.

Karen K. Mitchell, a licensed audiologist who serves as chair of the Ohio Board of Speech-Language Pathology and Audiology, testified in opposition to the measure, saying there are consumer concerns tied to the bill.

Music therapists use some techniques similar to professionals in her field, which are required to be licensed by the state board as well as the Department of Education if they would like to practice in schools, Ms. Mitchell said.

Under the bill, music therapists would not require ODE certification and no advanced degree is required, but the scope of practice includes working with individuals with medical, developmental, or mental health conditions.

There is also little supervision of music therapists described in the bill and there is no standardized assessment tool to determine who would and is benefitting from music therapy, she said, pointing to a handful of other concerns about the bill.

The witness told Chairman Young that because there is overlap between speech pathology and music therapy, the two professions could collaborate, but speech and audiology professionals are "very evidence-based" in a way that music therapists are not.

The board is part of a workgroup of a handful of associations representing the industry who would like to work on the bill to improve the oversight of music therapy and create consumer protections, Ms. Mitchell added.

Kelly O'Reilly, who represents the workgroup that's known as the Ohio Speech and Hearing Governmental Affairs Coalition, told the panel that the industry doesn't feel threatened by music therapists because they share some practices. Instead, the group is concerned about clients getting proper and measurable treatment, she said.

Currently, some music therapists use billing codes that are meant for other therapy professionals because there are none that apply to them, she said. When those patients are unsatisfied and come to speech or audiology professionals, their benefits may be depleted.

Because the state has worked to rein in its Medicaid spending, Ms. O'Reilly also cautioned the committee about creating more opportunities to bill the system.

She said she believes the coalition would be supportive of music therapists expanding their practices "if they were able to show that the curriculum and training were up to par and an evidence-based process and the outcomes were there."

The committee also received written proponent testimony from the Cleveland Clinic and Miami Valley Music Therapy.

HBOCCUPATIONAL LICENSES (Brinkman, T.) To make occupational licenses subject to annual renewal 213 become biennial licenses and to permit a licensee to take continuing education courses online.

(CONTINUED (No testimony); 4th Hearing-All testimony-Possible amendment)

HCRWTO RULES (Burkley, T.) To urge the Office of the United States Trade Representative to ensure that no World Trade Organization rules are violated in regard to government funding of the McInnis Cement and the Port-Daniel-Gascons cement plant in Quebec, Canada. (CONTINUED; 2nd Hearing-Proponent)

Jason Griffin, manager of state government relations for LafargeHolcim US, which operates the Paulding Cement Plant, offered support for the resolution.

The industry is starting to pick back up after the recession, but is concerned about potential unfair trade practices that could hamper its comeback, he said.

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"The \$1 Billion McInnis Cement Plant is reportedly receiving nearly 50% of it's financing in government funding and tax breaks from both Quebec and Canada. Considering the Province of Quebec's total annual cement consumption is less than the single (Paulding) Plant will be able to produce, not even considering the other 3.7 million tons of cement already produced in Quebec, McInnis' officials have publicly stated that they plan to send the majority of the cement produced to the US," Mr. Griffin said.

"Due to the outcry of opposition from Canadian cement producers, the messaging for McInnis has focused on exporting 90% of its production to the US, which logistically will go to the Great Lakes market. Without government funding, the plant is not necessary, not viable and would not be built."

He told Rep. Arndt that Canada and Quebec are providing subsidies to McInnis that equal about half the amount the company will spend to build it plant.

Citing Portland Cement Association findings, the witness said Ohio has 16,000 cement & concrete-related employees with a payroll of more \$833 million annually, and the industry contributes more than \$200 million in annual state revenue.

Most of the cement mined in Ohio goes to projects in the state because of the difficulty in moving the product, Mr. Griffin added.

Jeff Scott, the Paulding plant manager, said 15 new jobs have been added in the past two years to bring the total employee count up to 79. He said the plant hires contractors for about 20,000 hours of work each year.

He also touted the 60-year-old plant's safety record, noting the last lost-time incident was in October 2006.

"What I hope you take from my testimony today is that we are a staple in the community as well as the state, supporting our schools and students educationally and financially, providing well-paying jobs, manufacturing top quality cement, and will continue to do so far into the future," Mr. Scott said.

"HCR10 is incredibly important to our industry because heavily foreign-subsidized cement being shipped into our market could drastically alter any chance at being competitive and those of us that are supporting our communities would be on the losing end of this transaction."

Paulding County Economic Development Director Jerry Zielke said the cement industry being negatively impacted by fair trade wouldn't just hurt workers that could lose jobs. Decreased productivity could cripple the community in other ways too, he said.

The cement plant is the largest user of electrical power in the county, burns recycled fuel products and contracts with numerous companies in the surrounding area for services and products.

"The plant has a major economic impact on the region," Mr. Zielke said.

Judiciary

HBCOURT SENTENCES (Johnson, G.) To authorize a court that sentences an offender for a felony to a prison 478 term or term of local incarceration, or for a misdemeanor to a jail term, to impose in the sentence, in addition to the term, an order that prohibits the offender from having direct or indirect contact with any person as specified by the court and to declare an emergency. (CONTINUED; 1st Hearing-Sponsor)

Sponsoring Rep. Greta Johnson told the committee that the measure will "make Ohio safer for victims needing the protection of a no-contact order by allowing a court the discretion to impose a no-contact order in addition to an offender's sentence of incarceration."

Under current law, she said, the onus to seek a no-contact order is on the victim.

The measure will also address a 2015 Ohio Supreme Court case in which a majority reiterated a judge's inability to impose both a jail sentence and a no-contact order at the same time because a no-contact order is considered a

community control sanction.

"I doubt that this unfortunate effect in regards to no-contact orders was the legislature's intent when prohibiting a community control sanction and sentence of incarceration for the same crime," she said.

"Navigating the judicial system is already a complicated and traumatic experience for victims of serious crimes and discrepancies in law, such as the one I have described, only add to a person's inability to achieve justice and recover from their experiences," she continued.

HBDRUG TREATMENT (Brenner, A., Huffman, S.) To establish a statewide pilot program for the provision 497 of long-acting opioid antagonist therapy for offenders confined in a state or local correctional facility or a community residential facility under a sentence imposed for a felony opioid-related offense or a sentence of at least 30 days for a misdemeanor opioid-related offense who will be released on supervised release, and to specify that the therapy is to be provided during both their confinement and their supervised release. (CONTINUED (See separate story); 1st Hearing-Sponsor)

SB VEHICLE FORCIBLE ENTRY (Hughes, J., LaRose, F.) To grant a person immunity from civil liability 215 for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing a minor or an animal from the vehicle because the minor or the animal is in imminent danger of suffering harm.

(CONTINUED (See separate story); 2nd Hearing-Proponent)

Subscribers Note: For full testimony, visit the committee's website under April 19.

Select Committee on Medical Marijuana

HB MEDICAL MARIJUANA (Huffman, S.) To authorize the use of marijuana for medical purposes and to establish the Medical Marijuana Control Program. (CONTINUED (See separate story; Referred earlier); 1st Hearing)

Government Accountability & Oversight

HJRCONSTITUTIONAL CONVENTION (<u>Patmon, B., Hagan, C.</u>) Application to the Congress of the United States for a Convention of the States under Article V of the Constitution of the United States. (CONTINUED (See separate story); 3rd Hearing-Proponent)

HJRTERRORIST NATIONS (Johnson, T.) Proposing to enact Section 18 of Article VIII of the Constitution of the State of Ohio to prohibit state agencies and the state's public retirement systems from contracting with and investing in companies with certain business operations in countries designated as state sponsors of terrorism and to require state agencies and public retirement systems to divest investments from such companies. (CONTINUED; 1st Hearing-Sponsor)

Rep. Terry Johnson said the joint resolution would prohibit tax and pension money from being invested directly in companies with active business operations in strategic industries in Iran, Sudan and Syria.

Those strategic industries, he said, include military equipment, mineral extraction, oil-related activities, petroleum resources and power production.

Rep. Johnson said he believes pensions are doing what they can to divest from those countries. But as long as the number of dollars invested in those companies isn't zero, he said, a problem exists.

"Ohio is not the only state that is looking into this," Rep. Johnson said. "Similar types of legislation are popping up around the country. Currently, 30 states and Washington D.C. have enacted divestment legislation or policies."

During his testimony, Rep. Johnson said the measure would ensure "our money" isn't going to support terrorism. But Rep. Curtin questioned that terminology, saying that pension money isn't public dollars.

"What is the difference in asking voters of Ohio to make fiduciary decisions about those private funds, about private pension funds, and asking voters to vote on Huntington Bank divesting my *Dispatch* pension funds?" he asked, referring to his pension from his time as a *Columbus Dispatch* employee.

Rep. Johnson argued that lawmakers have a designated role in ensuring Ohioans receive a good return on their investments.

"To say we don't have a responsibility in that, I think, is an understatement at least," he said. "We have a definite role in overseeing how these funds are administered and frankly what happens to that money."

Rep. Curtin said Ohio has refrained from such mandates, unlike other states. Is it, he asked, a slippery slope to open that door now?

Rep. John replied that the state, in 2007, already took steps to divest itself from those funds.

"I agree a person's political ideas, a person's passions about one issue or another - that is a dangerous, slippery slope," he said. "But this particular issue is a little bit different because a nuclear Iran, that's recognized by the Obama administration as a state sponsor of terrorism, they have the potential to kill us, to take down our electrical grid with a few rudimentary nuclear weapons."

Responding to Rep. Derickson, Rep. Johnson said he saw evidence of Iranians supporting terrorism during his three deployments overseas.

"The U.S. doesn't consider Iran an enemy," he said. "But I can tell you, Iran considers the U.S. an enemy."

SB COSMETOLOGY LAW (Jordan, K., Tavares, C.) To make changes to the Cosmetology Licensing Law. 213 (CONTINUED; 1st Hearing-Sponsor)

Sen. Jordan said the bill would remove the only state mandate in the country dictating to salon owners who can manage their business.

"SB213 seeks to strike a balance between protecting the interests of those in the cosmetology field from government overreach, and protecting the general public from legitimate safety concerns," Sen. Jordan said. "In summary, SB213 works to get government out of the way of business without jeopardizing safety practices."

The bill would also shift the focus of inspections to immediate safety concerns, update continuing education requirements, and reduce red tape on small businesses.

Sen. Tavares said the continuing education piece would include courses on human trafficking and safety and that the bill would strengthen reporting requirements for the board of cosmetology.

"Senate Bill 213 did not give every person or group exactly what they wanted; however, the bill in the end will move the cosmetology industry forward while including important consumer protections," Sen. Tavares said.

Rep. Curtin said there is "much good" in the bill. But he questioned the provision that prohibits the board releasing questions developed for examinations "in perpetuity," which he said could hinder future academic research.

"Seems to me...we shouldn't make these records confidential forever," he said.

The sponsors said they'd be willing to discuss the issue.

HBSTUDENT TRUSTEES (Antani, N., Stinziano, M.) To grant student members of the boards of trustees of 183 state universities and the Northeast Ohio Medical University voting power and the authority to attend executive sessions. (REPORTED (No testimony); 4th Hearing-All testimony-Possible vote)

HBAGRICULTURAL LAND (Hill, B.) To require that the computation of the capitalization rate for the 398 purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup and to stipulate that CAUV land used for a conservation practice or enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type. (CONTINUED; 1st Hearing-Sponsor)

Rep. Hill said his bill would provide relief to farmers who are penalized with high property tax bills by the current CAUV calculation.

The current setup, he said, has resulted in a more than 300% increase since 2008 in what he said is essentially a business tax.

"I can't imagine justifying a 300% increase to a business owner or any other individual," Rep. Hill said, adding that agriculture is the state's No. 1 industry.

"If we don't fix CAUV before farmers sell off their land ... taxes will be so high they won't have a choice."

HBALCOHOL SAMPLES (Blessing, L.) To allow certain D liquor permit holders to provide free tasting
444 samples of beer, wine, and spirituous liquor to a person who is 21 years old or older and a paying customer
of the permit holder. (REPORTED-AMENDED (See separate story); 3rd Hearing-All testimony-Possible
amendments & vote)

HB COMMISSION ELIMINATION (Brown, T.) To formally abolish certain boards and commissions that 471 have completed their work and to abolish the Compact with Ohio Cities Task Force. (CONTINUED; 1st Hearing-Sponsor)

Rep. Brown said the bill is the result of several hearings of the Sunset Review Committee. He said he plans next week to have an amendment prepared to add a number of boards and commissions to the bill for renewal.

Currently, the bill would abolish: the Committee to Evaluate the Implementation of TANF Youth Diversion Programs, Compact with Ohio Cities Task Force, Direct Care Worker Advisory Workgroup, Foreign Language Advisory Council, Governor's Policy Information Working Group, Legislative Task Force to Study Anaerobic Digests for Agricultural Use and Application in the State, Ohio Housing Study Committee, Ohio Legislative Commission on the Education and Preservation of State History, Ohio Military Reserve Homeland Security Study Commission, Ohio Privacy/Public Record Access Study Committee, Public-Private Collaborative Commission, Select Committee on Telecommunications Regulatory Reform, and the Service Coordination Workgroup.

HB STATE CONTRACTING (Schuring, K.) To prohibit a state agency from contracting with a company that 476 is boycotting Israel or disinvesting from Israel. (CONTINUED; 1st Hearing-Sponsor)

Rep. Schuring said the measure would show Ohio's support for Israel, which he deemed a "bright and shining example" of democracy.

"They all enjoy a standard of living that no other country in the Middle East has to offer," he said. "This simply states we are going to stand by an ally and that anyone who is going to disrespect them or hurt them financially is not a friend of ours."

Rep. Curtin asked whether there is a growing list of companies disinvesting from Israel.

Rep. Schuring replied that he's unaware how many companies would be on such a list or whether there are current Ohio contracts related to the issue.

He said Speaker Rosenberger and Minority Leader Strahorn's status as cosponsors speaks volumes about the bill's merits.

HB PUBLIC RECORDS (Schuring, K.) To generally protect a private, nonprofit institution of higher education 504 from liability for a breach of confidentiality or other claim that arises from the institution's disclosure of public records. (CONTINUED; 1st Hearing-Sponsor)

Rep. Schuring said the bill follows a May 2015 court decision on whether university police should be subject to public record laws. (See <u>Gongwer Ohio Report, May 21, 2015</u>)

In that case the Ohio Supreme Court ruled that police agencies at private colleges are "public offices" subject to open records laws.

"It's a pretty simple piece of legislation," Rep. Schuring said. "Again it just piggybacks off the Supreme Court decision and says we understand, we concur that information should be made public."

But the bill grants those agencies immunity from litigation in the event records are released that a potential litigant may deem to breach confidentiality or other claims.

Rep. McColley questioned why immunity is appropriate especially in cases of negligence on the part of the agency.

"It really replicates what's in current law," Rep. Schuring replied.

Subscribers Note: For full testimony, see the committee's website under April 19.

17 S. High St., Suite 630 Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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Senate Activity for Tuesday, April 19, 2016

INTRODUCED

SB TRANSPORTATION FUNDING (Manning, G.) To make supplemental appropriations related to transportation for the biennium beginning July 1, 2015, and ending June 30, 2017, and to declare an emergency.

COMMITTEE HEARINGS

Finance

SB CAPITAL APPROPRIATIONS (Oelslager, S.) To make capital appropriations and changes to the law 310 governing capital projects for the biennium ending June 30, 2018. (REPORTED (No testimony; See separate story); 2nd Hearing-All testimony-Possible amendments & vote)

State & Local Government

HB DISABILITY TERMS (Dever, J., Howse, S.) To change the variations of the term "mentally retarded" to 158 "person with an intellectual disability." (CONTINUED; 2nd Hearing-Proponent)

The Ohio Association of County Boards of DD supported the measure in written testimony, saying the term "mentally retarded" has been removed from a number of laws.

"For better or for worse our society labels different groups of people. Some of those labels are used to highlight a cultural contribution, but too often those labels have demeaning and negative purposes," the group stated. "Culturally, we can teach our kids not to use those labels and perhaps they will eventually fade. But when the label is written into law, only a change in law can make a difference. This is certainly the case for the 'R word."

The committee also received written testimony in support from Christine Brown and Diana Mairose.

HBCORONER LAW (Huffman, S., Johnson, T.) To recognize that coroners include medical examiners; to 240 change the qualifications for holding office as a coroner of a charter county; to require, under certain conditions, and to authorize, under other conditions, supplemental compensation for coroners who are forensic pathologists; to revise how the office of coroner is filled when a vacancy cannot be filled by election or appointment; to specify the disposition of a firearm when a person meets death under certain circumstances; to specify who pays for the autopsy of an inmate of a state correctional facility; and to make other changes to the coroners' law. (CONTINUED; 1st Hearing-Sponsor)

Rep. Huffman told the panel that the state's coroner laws need changed before the end of the year because there are six counties where no one is running to be elected for the position.

Currently, there is no mechanism for filling a vacant coroner position unless the previous seat holder stepped down or died, he said. The bill would allow county commissioners to contract with a coroner from another county to fulfill the duties if no one was elected to the seat.

The measure would also change the definition of coroner to apply to medical examiners and would remove a two-year residency requirement for forensic pathologists to be chosen for the job, the bill's joint sponsor said.

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Under the proposal, the cost of an inmate autopsy would be paid by DRC or DYS, Rep. Huffman added.

He told Sen. Yuko that an amendment was made to allow law enforcement to return firearms to owners after a shooting death takes place because of instances where a person may commit suicide with a gun that is an expensive family heirloom.

"After the investigation is over, this bill would say the law enforcement officer would have to return that," he said.

HBRETIREMENT SYSTEMS (Schuring, K.) To include new nonteaching employees of The University of 305Akron as members in the Public Employees Retirement System and to make an appropriation for the University's School Employees Retirement System employer surcharge payments. (CONTINUED; 1st Hearing-Sponsor)

Non-teaching staff at the University of Akron are the only university employees in the state who pay into SERS instead of OPERS, Rep, Schuring said.

The measure would change that by placing any new employees into OPERS, which would not impact the retirement systems' solvencies, he said.

Also included is an amendment that would make a Volunteer Peace Officer's Dependents Fund retroactive to when the governor signed it into law on Dec. 22, Rep. Schuring said. Before it was enacted, a police officer was shot and killed in the line of duty and the change would allow his family to receive benefits from the fund.

Sen. LaRose, who represents the university, asked why the UA is the only institution with employees in SERS and for an explanation of the surcharge it pays for employees in that system.

The university was originally owned by the city and chose not to opt into OPERS when it became a state university, Rep. Schuring said. A 2% insurance surcharge is applied to any employees paying into SERS.

SB DEFERRED COMPENSATION (Hottinger, J.) To authorize the Ohio Public Employees Deferred 220 Compensation Board and local governments to establish designated Roth account features and other tax-deferred or nontax-deferred features permitted for government deferred compensation plans. (CONTINUED (No testimony); 3rd Hearing-All testimony)

SB REAL PROPERTY (Seitz, B., Skindell, M.) To create a presumption of validity of recorded real property 257 instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments. (CONTINUED (No testimony); 3rd Hearing-All testimony)

SB SCHOOL BUS OPERATION (<u>LaRose</u>, <u>F.</u>) To require a school bus operator who files a report alleging that <u>309</u>a vehicle passed the school bus while stopped to include in the report a description of the operator of the vehicle if possible, rather than requiring a description of the operator in all circumstances. (**CONTINUED** (See separate story); 1st Hearing-Sponsor)

Financial Institutions

HB DEED PROGRAM (<u>Dever, J., McColley, R.</u>) To create the D.O.L.L.A.R. Deed Program. 303 (CONTINUED; 2nd Hearing-Proponent)

Donald McFadden, president of the Ohio Land Title Association, submitted written testimony as an interested party expressing concern that the bill could result in a lender holding an insurable title.

Mr. McFadden expressed concerns with some of the language in the bill, saying it isn't specific and could lead to unintended consequences.

"If a lender participating in the D.O.L.L.A.R. Deed Program is to have a marketable title in real property conveyed under the program, the legislation is in need of revision," he wrote.

Dan Acton, government affairs director for the Ohio Real Estate Investors Association, testified in support of the bill, saying it would help homeowners stay in properties when they faced an economic challenge.

"As owners of sometimes large numbers of properties that may be near owners that might take advantage of this bill, we believe that strong and stable neighborhoods are in our best interest as well," he said. "Owners that have wrapped their lives' investment into a property should be given the opportunity to overcome their challenges and stay in the property as long as possible."

Guy Ford, the director of legislative affairs at the Ohio Housing Finance Agency, said the bill would create another tool for homeowners who are struggling to avoid foreclosure, and OHFA would create forms for homeowners and lenders participating in the program.

The bill would allow borrowers and lenders faced with possible foreclosure to sell the home back to the mortgage lender with the borrower staying in the home under a lease agreement, and having the ability to refinance, he said.

"OHFA supports this effort by Reps. Dever and McColley to provide an opportunity to homeowners, their families and their communities to avoid the difficulties of a foreclosure process and the potential for blighted, vacant properties that can result," he said.

Mr. Ford said he doesn't expect the bill to cause any significant increase in administrative work or fiscal burden for the agency.

Patrick Harris, the director of legislative affairs for the Ohio Credit Union League, also wrote in support of the bill, saying credit unions in the state hold more than \$5 billion in first mortgages.

"Keeping these members in their homes and avoiding foreclosure is a positive outcome, and the D.O.L.L.A.R. Deed program is an additional method credit unions may use to accomplish this," he wrote. "The legislation also falls in line with the credit union philosophy of 'people helping people."

HB IDENTITY THEFT (Maag, R.) To enable the parents or guardian of a protected consumer to freeze that 317 consumer's credit to protect the consumer from identity theft. (CONTINUED; 1st Hearing-Sponsor)

Sponsor Rep. Maag said the bill would protect children from identity theft by allowing parents to "freeze" their children's credit as long as he or she is a minor.

The bill came about after the data of an 11-year-old constituent's child was stolen, but the parents weren't able to freeze her credit.

"I would certainly appreciate this committee looking this quickly so that it can get to the governor's desk and protect children as soon as possible," Rep. Maag said.

The sponsor said he had worked closely with <u>Attorney General Mike DeWine</u>'s Consumer Protection Section Identity Theft Unit, and that the bill passed the House 98-0.

Rep. Maag said the AG's office might have a small amendment, which he would support.

SB TRUST COMPANY LAW (<u>Eklund</u>, <u>J.</u>) To create the Ohio Family Trust Company Act. (**REPORTED**; 175 5th Hearing-All testimony-Possible amendments & vote)

The committee voted to report the bill, with Sen. Thomas opposed, after the Democrat raised questions about how the proposal would affect the state's revenue.

Sen. Thomas asked if the bill would require the trusts to pay the financial institutions tax, and Vice Chair Sen. Eklund, the bill's sponsor who chaired the committee in the absence of Sen. Hughes, said they would be exempt.

Sen. Thomas asked what impact the proposal would have on the general revenue fund, and Sen. Eklund said the Legislative Service Commission's fiscal analysis showed it would have no discernible impact on it because the money is currently being put in trusts in other states, and not taxed.

"We're not collecting from somebody, but we're not collecting from them now," Sen. Eklund said.

Education

HB AUTISM SCHOLARSHIPS (<u>Blessing</u>, <u>L.</u>, <u>Rezabek</u>, <u>J.</u>) To permit the temporary, legal, or permanent 299 custodian of a qualified child to apply for an Autism Scholarship. (**REPORTED-AMENDED** (No testimony); 3rd Hearing-All testimony-Possible vote)

The committee accepted an amendment that Chairwoman Lehner said would allow chartered non-public schools to use an alternative assessment for scholarship students who are required to take end-of-year tests.

SB CARDIAC ARREST (<u>Hite, C., Patton, T.</u>) With regard to sudden cardiac arrest in youth athletic activities. 252 (REPORTED (No testimony); 3rd Hearing-All testimony-Possible vote)

SB STUDENT EXPULSIONS (<u>Hughes, J.</u>) With respect to the expulsion of a student from a school district, 297 community school, or STEM school for communicating a threat of violence to occur on school grounds. (CONTINUED; 1st Hearing-Sponsor)

Sponsor Sen. Hughes outlined the contents of the measure, saying he worked closely with Hilliard City Schools and the Hilliard Police Department on the provisions.

"I am sure most of you have been reading about, or experiencing in your district, the numerous bomb threats and threatened acts of violence in our school buildings throughout the state during the present 2015-16 school year. These threats disrupt all school activities and place families and communities on edge in the impacted areas," he said.

"What this proposal would do, if enacted into law, is provide local school districts another tool in the box to deal with these situations, but more importantly, to help students obtain mental health evaluations if that is the underlying root cause of these threats of violence."

In general, the bill provides local school boards with the authority to pursue tougher expulsion policies for various kinds of threats while also maintaining the districts' responsibility to educate the perpetrators and retain due process.

Tom Ash, director of governmental relations for the Buckeye Association of School Administrators, testified as a proponent. He also represented the positions of the Ohio Association of School Business Officials and Ohio School Boards Association in addressing what he called a "mounting problem" for schools - especially the bomb threats that don't het national attention.

"Even when such threats are never executed, they still result in negative consequences," he said. "Students and teachers experience lost instructional time. The anxiety for parents and for students heightens. First responders are diverted from other potentially lifesaving duties."

Mr. Ash said the statewide education groups believe the bill "offers a reasonable response at the local level to what seems to be an epidemic of these threats against students, staff, and public property."

The witness pointed to the permissive nature of the bill, and the fact that it covers numerous kinds of threats, including verbal, written, and electronically communicated, as well as the targets of those threats.

The bill gives superintendents, in consultation with law enforcement, "the authority to determine if the student making the threat engaged in conduct representing a substantial step toward committing the act described in the threat," he said. The bill also allows law enforcement agencies to proceed with juvenile or criminal action against an expelled student.

The measure also addresses the "very real" financial consequences related to school closures by authorizing local political subdivisions to seek restitution by civil action for the costs associated with the student's conduct that gave rise to the expulsion, Mr. Ash said.

The witness also pointed to "protections" in the bill for students making the threats, including the preservation of due process, continued education services and consideration for disabled students.

"A key component of this legislation is specific authority for a Board of Education to require, as a condition of reinstatement, an assessment of the student to determine if that student is a danger to himself or herself or to other students or staff," he added. "If the student does not comply with the assessment, the Superintendent may extend the expulsion up to one year. We believe that the intent here is treatment and not just punishment."

John Marschhausen, superintendent of the Hilliard City School District, also supported the measure.

"School violence, and threats of violent in our schools, has become an all too frequent reality in our world today. Furthermore, in today's instant media and information age, threats of violence have undermined confidence in our collective ability to maintain an appropriate educational and learning environment," he said. "School threats in our world today are media events - not only requiring significant school and law enforcement resources - but depriving thousands of students the ability to learn and safely attend our schools."

Mr. Marschhausen said the bill "provides local school districts another tool in our efforts to keep our school safe for teaching and learning."

"This bill provides local control; it gives local school boards an option," he said. "This bill only applies to students who have threatened violence or acts of violence against the school, a student, or groups of students within the school setting. It gives local districts the ability to exclude a student from the traditional school setting if school officials require a mental health evaluation before the student returns to school."

The sponsor and witnesses answered questions as a panel, reassuring members that the measure is aimed at rehabilitation and students who pose an extreme threat to the level that a school would be evacuated or police would be called in.

"This is only for the most egregious and serious threats against a school," Mr. Marschhausen said. Like most schools, Hilliard has anonymous tip lines where individuals can report possible threats over the phone or school website.

Sen. Hughes told Sen. Williams he'd work with her to ensure the language clarifies that the permissive model is meant to deal with significant incidents.

Referring to conversations about whether to make changes to the state's zero tolerance policy, Sen. Coley questioned how this bill jives with that.

"My memory jogs back a few months ago, education advocates tell me we must not have zero tolerance polices and listening to this I'm like, yeah right. How does that all interact with those who say we can't have zero tolerance but maybe we don't have to tolerate someone with weapons, bringing them into school," he asked.

Mr. Ash said he's only advocated to leave tolerance policies up to individual school districts and is supportive of Sen. Hughes's proposal because of the holistic approach it takes to get students mental health assistance.

The bill's sponsor told Sen. Lehner he'd be supportive of an amendment that would prohibit schools carrying over suspensions from one year to another in any instance.

Sen. Jordan said he's concerned that giving schools permission to require mental health exams will lead to an overuse of the authority.

"I think a lot of things are overprescribed in the mental health system," he said, adding that schools might suggest the exams liberally to "cover their backsides."

Mr. Marschhausen said he would expect the exams to only be suggested in cases where there is a concern for the well-being of other students, the staff or the students themselves. Of the 16,000 students in his district, he said there are two he would like to recommend for mental health examinations.

Presentation: Jim Wright, director of the Department of Education's Center for Curriculum and Assessments led a presentation on the English language arts and math academic standards reviews that are currently underway as well as changes to this year's standardized tests.

Subscribers Note: Full testimony is available on the committee's website under April 19.

17 S. High St., Suite 630 Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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Volume #85, Report #75 -- Tuesday, April 19, 2016

Sponsor Outlines Medical Marijuana Bill As Select House Committee Begins Work

A House select committee got its first look Tuesday at a bill to legalize medical marijuana in Ohio.

Rep. Steve Huffman (R-Tipp City), the sponsor of the bill (HB 523), briefed the House Select Committee on Medical Marijuana on its contents and fielded questions on how the bill would keep patients safe and ensure the rules are followed.

The bill would create a system to regulate medical marijuana in Ohio through a Medical Marijuana Control Commission under the Department of Health, Rep. Huffman said. It creates requirements for tracking and monitoring of production and sale of the product and puts requirements for doctors to maintain relationships with patients and report to the state about their activity.

Committee chairman Rep. Kirk Schuring (R-Canton) said the panel would meet every Tuesday, Wednesday and Thursday until it reports the bill, which he said he hoped would happen by the end of the month. House Republicans unveiled the bill last week after months of study by a task force chaired by Rep. Schuring, saying they hoped to have it ready for Gov. John Kasich's signature by June. (See Gongwer Ohio Report, April 13, 2016)

Rep. Marlene Anielski (R-Independence) asked how the bill would keep patients safe and how it would prevent abuse of marijuana.

The bill would require independent testing of the marijuana products, Rep. Huffman said, which is something that was left out of the constitutional amendment that legalized medical marijuana in Arizona. Pesticides and mold can both show up on marijuana, as with any other crop, and the independent testing makes sure patients are consuming a safe product.

For regulating cultivation, he said the bill would mostly leave the specifics of the rules up to the commission.

"I'm not smart enough to figure out what's the best way to grow marijuana. To me that's not the question. That's a question for business. The question for the commission is how high's the fence, what's the security like," he said. "I think those are the safety things in this bill that the commission can get down to the very detail."

Rep. Huffman also said the bill would limit the duration for which doctors could recommend marijuana to 90 days, meaning patients would have to keep checking with doctors and they would ensure the plan is working.

"Ultimately it would be that relationship, I hope, that would protect the patient," he said.

Rep. Dan Ramos (D-Lorain) asked if there was any consideration for extending that 90-day period for people with chronic conditions or other long-term illnesses that wouldn't go away.

The sponsor said he's open to modifications for the bill, but the 90-day period ensures there's communication between the doctor and the patient and is normal for treating chronic conditions.

Rep. Huffman also said the control commission would have the ability to list certain conditions to be treated with marijuana, but ultimately the decision of what to recommend marijuana for would be up to doctors.

Rep. Christie Kuhns (D-Cincinnati) asked if the bill included privacy protections for patients.

"There isn't a provision regarding the confidentiality of patients in the bill," she said. "Is it your intent that the commission will promulgate rules regarding patient confidentiality?"

Rep. Huffman said he believed federal patient privacy rules would still apply, but would go through the bill again to make sure it protects patient privacy.

The rest of the committee's meetings on the bill will hear testimony from all sides, and the bill is not without its opposition. The Ohio State Medical Association has expressed <u>opposition</u> to it, saying it bypasses established methods of medical research.

Rep. Huffman, a doctor, said he appreciated the need for more medical research and the bill includes recommending that the federal government downgrade marijuana to a Schedule II drug, which would allow for more research, but the threat of a ballot initiative means the state needs to implement an effective program before voters choose one that could have flaws.

"We're a ballot initiative state, and we need to lead," he said after the meeting.

Two ballot initiatives could make the November ballot, one pushed by the Marijuana Policy Project-backed Ohioans for Medical Marijuana and the other by Grassroots Ohio.

Aaron Marshall, spokesman for Ohioans for Medical Marijuana, said the ballot issue group likely won't drop its proposal in favor of the legislature's unless lawmakers adopted their proposed language. Mr. Marshall said the legislative proposal puts more oversight on doctors, would have patients wait up to two years before they could get marijuana and would keep patients from being able to grow their own marijuana plants.

Rep. Huffman said the bill does not allow homegrown marijuana because it opens up too many opportunities for people without a doctor's recommendation, including children, to access it.

Mr. Marshall said the proposed constitutional amendment would allow patients to grow marijuana, but only indoors in a locked room out of view.

"In our proposal, where you can home grow is indoors in a locked, confined area that's not visible from the outside," he said. "There's no looking over the fence and seeing what's going on."

Two-year, \$2.6 Billion Capital Bill Set For Wednesday Floor Vote In Senate

In the quickest and quietest proceeding in recent memory involving the approval of bill authorizing billions in state spending, the two-year capital appropriations budget cleared committee in anticipation of a full Senate vote on Wednesday.

The \$2.6 billion measure (SB 310) attracted public testimony on only one day last week and was advanced in about a minute on Tuesday by the Senate Finance Committee.

In recent years, the legislature's method for processing the bricks-and-mortar legislation has entailed months of intensive behind-the scenes work with lawmakers, administration officials, local communities, higher education interests and other stakeholders that results in a largely agreed-to package even before it's introduced.

However, the lack of much public debate at all this time around seemed notable even by those standards. After asking if anyone cared to testify, which no one did, <u>Sen. Scott Oelslager</u> (R-N. Canton) called for the vote and the bill unanimously passed without comment.

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"Everybody worked together and it was a good bipartisan effort," the chairman said in an interview after the hearing.

Sen. Oelslager said he doesn't expect any floor amendments on the bill.

Sen. Michael Skindell (D-Lakewood), the ranking minority member on the panel, said afterward that Democrats were supportive of the state funding in the bill for local communities and other capital needs.

"It creates jobs for the state of Ohio and it's important," he said.

While the bill is expected to continue to attract wide bipartisan support during its speedy journey to the governor's desk, Sen. Skindell did bemoan one aspect of the package.

He said the bill continues a trend of reduced funding to urban areas of the state. The lawmaker chalked up the trend to the makeup of the Republican-controlled legislature.

A large chunk of the bond-backed spending authorized in the fiscal year 2017-2018 capital budget is earmarked for education facilities, including \$650 million for K-12 buildings through the Ohio School Facilities Commission, and \$537 million for higher education projects. (See <u>Gongwer Ohio Report, April 12, 2016</u>)

Of the latter total, about \$428 million was requested directly by two- and four-year institutions under a negotiated proposal set forth by the groups themselves. (See <u>Gongwer Ohio Report, April 8, 2016</u>)

Along with hundreds of millions for state agency facilities, the bill also appropriates \$500 million for local infrastructure needs through the Public Works Commission, including \$100 million for Clean Ohio projects, and \$160 million for "community projects" such as arts and sports facilities, and historic building renovations.

The state facility funding includes \$323 million for improvements to dams, state parks and forests under the Department of Natural Resources' allotment.

The House Finance & Appropriations Committee is expected to take the bill up next week and process it in a similarly anticlimactic fashion, as no major amendments - if any at all - are anticipated.

The plan is for the bill to be on Gov. John Kasich's desk by early May.

Federal Judge Dismisses Lawsuit Over Drug Price Initiated Statute

A federal judge has dismissed a case filed against <u>Secretary of State Jon Husted</u> by backers of an initiated statute designed to lower prescription drug prices.

The case was filed in January when the plaintiffs, backing the proposed so-called Ohio Drug Price Relief Act, which would limit what the state could pay for prescription drugs, sought a temporary restraining order to have the initiated statute sent to the General Assembly. Secretary Husted had called for a review of petitions, citing irregularities with signature collection.

U.S. District Court Judge Michael Watson <u>ordered</u> the case *Tracy L. Jones, et al. v. Jon Husted* dismissed Tuesday because the plaintiffs lacked standing.

Secretary Husted had filed a motion to dismiss the case in March, saying the plaintiffs could not prove that the delay in transmitting the initiated statute to the General Assembly caused them injury. The General Assembly has until June 4 to act on the proposed statute; if it isn't passed as submitted, the group will have little over a month to collect 91,677 valid signatures to put the issue before voters in November. (See Gongwer Ohio Report, February 4, 2016)

The proposal was notated in the House and Senate journals but a bill has not been introduced.

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"In simple terms, I have a responsibility to act on behalf of the people of Ohio to make sure the law is followed and that is exactly what I am doing," Secretary Husted said upon filing the motion in March. "Stop this nonsense litigation that wastes time and tax dollars."

Michael Weinstein, president of the California-based AIDS Healthcare Foundation, who is backing the initiated statute, said the federal case and a separate state case, which Secretary Husted filed a motion to dismiss Monday, were filed before Mr. Husted transmitted the initiated statute to the legislature.

"What the court is saying is that we don't know what the General Assembly will do and therefore it's not ripe," he said in an interview. "We are free to re-file that action once they have acted or not acted on the law."

A separate lawsuit, filed in the Ohio Supreme Court by industry groups, is calling for a full review of petition signatures. (See <u>Gongwer Ohio Report, March 29, 2016</u>)

"The primary venue for this situation is in the Supreme Court, where the drug companies are desperately trying to keep us off this ballot despite the fact that county boards have twice validated it," Mr. Weinstein said.

The proposed initiated statute would limit the amount state agencies could pay for prescription drugs to the lowest amount paid by the U.S. Department of Veterans Affairs. Supporters say it would lower prescription drug costs by as much as 24%.

Brenner, Huffman Introduce Pilot Program To Reduce Heroin Overdose Deaths

Two House lawmakers hope a pilot program can lessen the frequency of heroin overdose deaths.

Sponsoring Rep. Andy Brenner (R-Powell) testified Tuesday in support of a measure (HB 497) that would create a voluntary pilot program for the provision of long-acting opioid antagonist therapy for jail or prison inmates incarcerated for opiate-related offenses.

"The bill aims to ensure that those who are in the penal system that suffer from a heroin addiction do not relapse upon release," Rep. Brenner told members of the House Judiciary Committee.

Relapse upon release can oftentimes be deadly, he testified.

"The risks of overdose increase dramatically if a former inmate uses after being incarcerated," he said. "Those who relapse frequently will use the amount of heroin they took while they were addicted. By using what they perceived to be a typical dosage, many fail to realize that their tolerance to the drug decreases dramatically."

Rep. Brenner cited a 1998 study that found most heroin overdose deaths occur among those who stopped using for a period of months.

"If an inmate who has not used heroin in the penal system for an extended period of time, they have a greater risk of overdose and death once they return to society in their release," he said.

The two-year pilot program would require an initial therapy session thirty days prior to release, according to Rep. Brenner.

Upon release, therapy would be continued through local Alcohol, Drug Addiction, and Mental Health Services boards.

The program would be paid for either through Medicaid or other health insurance that covers the offender, according to Rep. Brenner.

The pilot program would begin July 1, 2017 and end on July 1, 2019.

Rep. Brenner said the average cost of a shot of the long-acting opioid antagonist therapy is about \$600-\$1,000 per month. Each shot last 30 days.

The drug, Naltrexone, is also offered in a pill for, although Rep. expressed concerns about the effectiveness of taking the drug orally.

In acknowledging the high cost of the pilot program, Rep. Brenner said it would be more cost-effective than putting people back in prison.

Chairman Rep. Jim Butler (R-Oakwood) question the timeline of administering the drug, specifically whether it would be provided to the inmate 30-days prior to release and also on the prisoners' release date.

Rep. Steve Huffman (R-Tipp City), the bill's other sponsor, said it would be administered either at release or sometime immediately after.

"It needs to be administered one way or another, either in the prison or afterwards," he said, noting that after two days the drug is at a constant level that is effective.

Rep. Butler also asked about the overall cost of the program. Rep. Brenner said those figures have not yet been worked out, nor has the number of available slots in the program been nailed down.

Rep. Margaret Conditt (R-Liberty Twp.) questioned whether the program would be available to inmates in both prisons and jails.

Rep. Brenner said the program would initially focus on the prison system. However, he added it may make sense to implement it in some county jails with high rates of people incarcerated for heroin-related crimes.

"That's going to have to be decided," he said.

Asked by <u>Rep. Emilia Sykes</u> (D-Akron) if he had considered administering the drug through injection only because of its increased effectiveness in that form, Rep. Brenner said that is another matter that is still under consideration.

In terms of the drug, Rep. Robert Cupp (R-Lima) asked if there are other, less costly pharmaceuticals available.

Rep. Huffman said just one is currently available in injection form, but other companies are currently in the research phase.

Bill Allowing Free Samples From Restaurants, Craft Breweries Advances in House

A House panel approved a bill to allow some alcohol license holders to offer free samples, but not before <u>Rep. Kathleen Clyde</u> voiced concerns over whether the amended bill could contribute to alcohol abuse in college communities.

Rep. Clyde (D-Kent) ultimately supported the bill (<u>HB 444</u>), which easily passed the committee and would allow D, A-1-A and A-1c permit holders the ability to provide up to four tasting samples of beer, wine or liquor free of charge to a customer.

"I do have some concerns on this other issue," Rep. Clyde said. "But I plan to support the bill today and will be thinking this through as we see this move through the Statehouse."

Prior to the bill's committee passage, the group adopted two amendments, <u>one of which</u> shifts the allowable alcohol by volume of beer from 12% to 15%. Any C or D liquor permit holder, under that provision, would have to post a note of caution to customers warning them that the products sold may contain up to 15% ABV.

A second amendment adopted during the bill's third hearing:

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- Stipulates that the tasting samples are to be provided "at the permit holder's expense"
- States that "a distributor is not responsible for the costs of providing tasting samples"

Prior to the vote, Rep. Clyde requested a pause to the meeting in order to discuss with caucus legal counsel her concern the provision could be abused by patrons especially in college areas.

"Did you consider limiting the board to one type rather than four of the same type?" Rep. Clyde asked cosponsors. "That's what's giving me pause."

Chairman Rep. Tim Brown (R-Bowling Green), responding to Rep. Clyde's concern, said the legislation gives permit holders an option but doesn't force them to do anything.

"It would be up to someone in the establishment to decide whether that's appropriate," he said of the four samples. "The permit holder could decide to withhold, providing more than one sample of the same type, or any at all."

Rep. Louis Blessing (R-Cincinnati) said the language was based on a similar law in Michigan. He said the financial aspect would inhibit an establishment from abusing the samples.

"Any business that would allow a free shot here and there is going to lose money," Rep. Blessing said. "That was the logic behind it."

Added Rep. Brown: "We just felt capping it at four and leaving it as somewhat up to the establishment's discretion was the way to go."

Rep. Clyde said there are a typically a few bad actors in university settings. She questioned Joe Rosato of the Ohio Restaurant Association - one of a pair of proponents that testified on the bill Tuesday.

Rep. Clyde said witnesses have shared concern about the potential of such sampling setting up a loophole to appeal to a "more heavy-drinking crowd."

"All I can say is we're open to dialogue and looking at potential changes if that's a concern," Mr. Rosato replied.

"Why not limit it to one?" Rep. Clyde asked. "Why would one person need four samples?"

In his earlier testimony during the hearing, Mr. Rosato said the bill would be a marked improvement over current law by allowing customers to sample products prior to ordering a full-sized drink.

Currently, if a customer orders a drink at such an establishment and doesn't like it, the customer must be charged, he said.

"Restaurants cannot give away alcohol and it cannot be sold for an amount less than the cost to the restaurant," Mr. Rosato said. "So the restaurant must determine the percentage of the bottle of wine that was poured and calculate the cost to the restaurant for that bottle and then must charge the customer for the sampled amount."

Seventh Son Brewing owner Collin Castore, on behalf of the Ohio Craft Brewers Association, testified that the bill would be especially beneficial to craft breweries.

"This widely accepted practice is especially important at craft breweries where our clientele is more apt to try new products," Mr. Castore said. "Providing samples allows us to expand the customers' palate and meet consumer demand."

Written proponent testimony was also submitted by the Distilled Spirits Council.

Proponents Tout Benefits Of 'Hot Car' Measure

A bill designed to provide civil immunity for those who break into vehicles to rescue animals or children could save lives, proponents of the measure said Tuesday.

The bill (SB 215) will decrease the number of childhood heatstroke-related deaths, Dr. Zach Rossfeld told members of the House Judiciary Committee.

Heatstroke is the leading cause of non-crash, vehicle-related death for children under the age of 15, he said. Since record keeping began in 1998, 660 children have died of heatstroke. Most are under the age of 3.

Ohio ranks as the 11th worst state for pediatric heatstroke fatalities, according to Mr. Rossfeld.

"This bill will raise awareness about the dangers of leaving children unattended in a vehicle and, when the situation arises, will allow a good Samaritan to act without hesitation in saving a child's life," he said.

Mr. Rossfeld said that even on a mild day with temperatures in the 70s, the inside of a vehicle can get hot very quickly, even in shade.

Under the proposal, those who do break into a vehicle to save a child or animal must first determine the doors are locked and that the child or animal is in danger or suffering harm before calling for emergency help.

The bill also requires the person making entry to place contact information on the windshield, the reason the entry was made, the location of the minor or the animal and the fact that the authorities have been notified. A person must also remain with the minor or the animal in a safe location, out of the elements, but reasonably close to the vehicle, until law enforcement or emergency responders arrive and use no more force than necessary to gain entry.

Corey Roscoe, Ohio director of the Humane Society of the United States, told the committee that the legislation will help to save pets, too.

"We know that like young children, animals do not tolerate temperature extremes. Pets' normal body temperature is already higher than humans," he said. "Even moderate humidity can slow or shut down his ability to evaporate moisture and control his body temperature."

Vicki Deisner, the Midwest legislative director for the American Society for the Prevention of Cruelty to Animals, told members that 19 other states have passed similar legislation.

"When it's 80 degrees outside, your car will be 114 degrees in less than 30 minutes. When it's 85 degrees outside, your car will be a staggering 120 degrees in less than 30 minutes," she said. "Shade offers little protection and moves with the sun. In the case of pets, those most at risk for hyperthermia are young, elderly, overweight animals and those with short muzzles and thick or dark-colored coats.

Also providing written testimony in favor of the measure were representatives of the Ohio Association for Justice; the Ohio State Medical Association; The Research Institute at Nationwide Children's Hospital; KidsAndCars.org; and the Ohio Association of Professional Fire Fighters.

Ohio Supreme Court Liability Rulings: 'Edge Drop' Not Part Of Roadway; ODNR Must Pay For Injuries Caused By Mower

Wayne County is not liable for a 2011 fatal accident caused by an "edge drop" on a roadway under construction, the Ohio Supreme Court ruled Tuesday.

In a <u>split decision</u> authored by Justice Sharon Kennedy, the court found that the county is protected by sovereign immunity due to the fact that the edge drop is not considered a portion of the road and therefore the local government cannot be sued for failure to maintain the area.

"Because a definition was provided by the General Assembly, R.C. 2744.01(H) is the exclusive definition of public road for purposes of determining sovereign immunity from all claims that allege a negligent failure to maintain," Justice Kennedy wrote. "That definition expressly excludes berms and shoulders. Therefore, if an edge drop is part of the berm or shoulder, then the exception to sovereign immunity does not apply."

The case arose from a 2011 crash that took the life of Kelli Baker, the court reported.

Ms. Baker was traveling on a Wayne County roadway that had recently been subject to "scratch paving," causing the edge drop to be as high as five inches in some cases. Her right tire went over the edge drop, causing her to overcorrect twice. She lost control and crashed into a deer statue and tree before her vehicle caught fire.

A wrongful death lawsuit was filed against the county and dismissed in trial court. However, the Ninth District Court of Appeals reversed the lower court decision.

Justices Judith Ann Lanzinger and Judith French joined Justice Kennedy's opinion. Chief Justice Maureen O'Connor concurred in judgment only.

Justice Paul Pfeifer in a dissenting opinion found that the road should have been maintained from edge to edge due to the lack of a painted edge line.

"The General Assembly has determined that political subdivisions should be responsible for keeping public roads in repair," he wrote. "It is no stretch of the law to determine that it is a question of fact whether Wayne County lived up to that responsibility in this case. On the other hand, the idea that a political subdivision has no duty at all to maintain a reasonable edge on a public road should be disturbing to any driver."

Justice Bill O'Neill authored his own dissenting opinion, calling the majority's decision "the kind of judicial metaphysics that gave rise to the term 'legal fiction."

"It is simply make-believe to suggest that the portion of the asphalt that dropped off five inches to meet the berm on the side of the road is not also a part of the road," he wrote. "It is like saying the period at the end of this sentence is not a part of the sentence. The majority can use any Aristotelian definition of a road it wants. But the five inches of asphalt that define the outer edge of the road caused this accident - not the mud next to it."

Justice Terrence O'Donnell also dissented, citing the court of appeal's ruling.

The case was the first in which the high court took up the statutory definition of "public roads."

ODNR Mower: In another case decided Tuesday, the high court ruled the Department of Natural Resources is responsible for injuries that resulted from a rock launched from one of its boom mowers.

In a <u>split decision</u> authored by Justice O'Donnell, the court found that immunity protection is limited to injuries caused by defective conditions of recreational areas.

"The General Assembly could have provided that a landowner owes no duty whatsoever to any recreational user or that a landowner is not liable for injury caused by the act of the landowner or its employees, but tellingly, it did not do so," he wrote.

In July 2011, Richard Combs was severely injured after being struck in the face by a rock that was launched from a boom mower operated by a DNR employee at Indian Lake State Park, the court <u>reported</u>.

Mr. Combs took his case to the Court of Claims, which granted summary judgement to DNR. However, the Tenth District Court of Appeals reversed that decision, citing the negligence of the operator of the boom mower.

A majority of the high court agreed with that assessment.

"Here, the evidence shows that the injury to Combs arose from the alleged negligent operation of a boom mower, and therefore the recreational user statute does not preclude liability for such a claim if Combs can establish that negligence," Justice O'Donnell wrote.

Justice Pfeifer joined Justice O'Donnell's opinion. Chief Justice O'Connor and Justice O'Neill concurred in judgment only.

In a dissenting opinion, Justice Kennedy wrote that the rock that struck Mr. Combs was a part of the premises and that immunity should have applied in the case.

"It is undisputed that Combs was a recreational user," she wrote. "His complaint alleges that the rock that was thrown by the mower was from a layer of rock placed on the waterline to control erosion. The fact that a mower threw the rock does not alter the outcome."

She was joined in her dissent by Justices Lanzinger and Judith French.

School Bus Safety Measure Draws Mixed Reviews From Senate Panel

Less information would be needed to bring a criminal citation against drivers who don't stop for school buses under a measure that received its first hearing on Tuesday.

The bill (SB 309) sponsored by Sen. Frank LaRose (R-Copley) allows school bus drivers to report incidents without providing police with the offending drivers' identifying information.

Currently, law enforcement can't cite a driver unless the school bus operator can provide a description of him or her in addition to a license plate number and information about the vehicle, he said.

The sponsor contended that the current law makes it difficult for bus operators to report reckless driving that could end up injuring or killing children.

"In most cases, they're not going to be able to see the driver to get a physical description of them," Sen. LaRose said. He cited a situation in which a school bus operator, who can typically see only the roof of most vehicles as they're passing, has to warn the child to wait before trying to jot down identifying information of a driver who failed to stop.

Under the proposal, school bus operators would be given an option to provide a driver description when possible and it would continue to be up to the law enforcement agency to determine if a citation should be issued, he said.

Sen. Edna Brown (D-Toledo) agreed that the law, which was enacted in 1999, should be changed. She likened the topic to red light and speed cameras that need only license plate photos to result in a ticket.

"I can't understand why in an incident that would be as important as child's life, (police) cannot take the license plate number and a description of the vehicle - the same as you can for a red light camera on the street corner," she said.

However, at least one lawmaker on the Senate State & Local Government Committee that's considering the measure believes changing the law would be dangerous in other ways.

<u>Sen. Bill Seitz</u> (R-Cincinnati), who has long pushed to place restrictions on the use of red light and speed cameras, said there is a major difference between a driver who receives a traffic citation, which results in a civil action, and a driver who fails to stop for a school bus crossing.

"The bus driver's description sets a criminal citation. And given that very significant difference, what is inappropriate to at least get a description of the individual who is to be criminally cited? I don't think that's too

Any individual who is cited under the proposed law would have the opportunity to make their case in court and potentially argue that they were not the one driving the vehicle, Sen. LaRose said, reiterating that the bill does not require law enforcement to cite the driver.

Sen. Seitz said he doesn't think there are any other similar citations that don't require physical observance from a police officer and questioned whether such power should be provided to others.

"I'm worried about making a universe of self-appointed vigilantes to start sending criminal citations against people without the direct involvement and observation of law enforcement," he said. "I wasn't a fan of the original bill and said were going to make this as tough to enforce as possible."

Sen. LaRose argued that a bus driver is in a special situation. They are driving state-owned vehicles full of children that are going to and from educational buildings, he said.

"There is a special exception here," he said. "In its current form (the law) is basically unusable. The part that gives me confidence this is a good idea is that nothing here would require the local law enforcement to file."

Sen. LaRose told the panel that local school districts make every effort possible to ensure that children are dropped off on the side of the road their driveway is on to avoid the issue of vehicles illegally passing while students are crossing the street.

Tax Exemption Bill Draws Debate, Clears House Committee Following Amendment

An amendment to a bill to provide property tax exemptions to retail stores operated by certain nonprofits drew a bevy of questions before a House panel Tuesday.

Members of the House Ways & Means Committee questioned whether the amendment - which involved a single word change in a bill meant to standardize legal interpretations on the issue - would put those stores back to square one.

But in the end, after the adoption of that amendment and another, the bill (HB 409) passed easily with bipartisan support.

The prior version of the bill would render a retail store operated by a nonprofit housing organization that owns the property an exemption from property taxation "if the retail store sells only donated items suitable for residential housing purposes and if the proceeds of such sales are used solely for the purposes of the organization."

The amendment that drew debate changed the term "only" in that sentence to "primarily," which some feared would leave the potential law open for interpretation by future Departments of Taxation.

In essence, they feared the bill, aimed at clarifying which entities apply for the exemptions, would retain the status quo in which stores such as Habitat for Humanity ReStores are nonexempt at the ODT's discretion.

Chairman Rep. Jeff McClain (R-Upper Sandusky) said the word change was prompted by proponents, some of which said they had a self-imposed 15% limit on what they can have that is not donated.

Rep. Jack Cera (D-Bellaire) asked what would prevent a store from violating that principle if the limit is self-imposed.

Rep. Gary Scherer (R-Circleville), who offered the amendment, said he wasn't involved in drafting the language but that he preferred the term "primarily" to other terms, such as "majority."

"I'm certain lawyers and courts would have to figure out what we meant by primarily," Rep. Scherer said. "In my opinion, it's better than trying to put specifics in there."

<u>Rep. Emilia Sykes</u> (D-Akron) suggested the amendment might bring more confusion rather than clarity to the issue under future administrations. Rep. Sykes said the impression she received from testimony was that these stores wanted to law to be clarified regarding which stores do and do not qualify for the exemption.

"There's a lot of room for discussion on what 'primarily' might be," Rep. Sykes said.

Rep. Ron Amstutz (R-Wooster) acknowledged that the issue would likely be left up to the Department of Taxation to set a firm definition on the term. "I think this makes sense," he said, adding that if the bill doesn't pass "we'll have problems down the road."

Rep. McClain reminded members the bill pertains only to real estate exemptions. And Rep. Scherer said sales tax and payroll tax would still be collected. Leased properties would also not qualify for the exemption, he said.

In the end the committee easily passed the bill without any dissent. An earlier amendment, which prompted little discussion, shifted the bill's start date from tax year 2015 to tax year 2016.

Despite her initial concern with the amendment, Rep. Sykes described the bill and its intent as "right on."

"The concern I have is not whether we should allow the exemption but from testimony we heard various stores are receiving different treatment based on the interpretation of the Department of Taxation," Rep. Sykes said.

"Adding the word 'primarily,' in a way, will make us go right back to where we were because with new administration, a new set of eyes looking at this language, we could end up right back where we were where some stores are getting one treatment and other stores getting another," she said.

Sponsors Tout Agritourism Measure As Economic Boon, Teaching Tool

A measure designed to provide civil immunity in some circumstances to agritourism businesses could boost the state's economy, sponsors of the bill said Tuesday.

The legislation (SB 75) would address many of the liability and regulatory challenges currently impacting the agritourism industry, according to sponsoring Sen. Shannon Jones (R-Springboro).

The legislation, she said, would allow more farmers to offer hayrides or apple-picking on their properties.

"The language will address the inherent risks of agritourism activity, such as natural conditions of farmlands, the behavior of wild and domestic animals, and the ordinary dangers associated with a working farm," she told members of the House Agriculture & Rural Development Committee. "Agritourism providers will be protected from civil action in cases associated with the inherent risks of a farm."

In addition, the measure would limit the ability of local government officials - namely county commissioners and township trustees - to regulate the agritourism industry. The legislation would also allow those that participate in agritourism to maintain Current Agricultural Use Valuation.

"Agritourism providers in our state bring a unique cultural experience to all Ohioans. It is important that we foster an environment that encourages farmers to provide agritourism activities," Sen. Jones said. "This industry not only provides economic benefits to our state, but it teaches citizens, and out-of-state visitors, about the value of the agriculture industry. This bill will not only strengthen the already present agritourism industry, but encourage growth."

Sponsoring Sen. Bob Peterson (R-Sabina) said the bill will "help farmers become more comfortable in engaging in agritourism activities."

"Agriculture is Ohio's largest industry and is an important part of both our state's past and its future," he said.
"The growth of the agritourism industry allows people to reconnect with their rural roots, have a fun farm experience and learn more about the amazing technology that Ohio farmers use to grow the crops and livestock that feed America and the world."

Rep. Kyle Koehler (R-Springfield) questioned whether the bill would allow for farms that do not wish to operate as a business and simply want to open their operations up to those interested in learning about farming activity with the same civil immunity.

Sen. Jones said that would be the case.

Rep. Koehler also asked about the impact the measure would have on existing agritourism businesses.

According to Sen. Jones, it could help them by allowing them to extend their season even further.

Rep. Bill Patmon (D-Cleveland) asked about the level of signage necessary, noting prior experience on his grandfather's farm in Georgia.

"There are no signs out there," he said. "There are no warnings out there. Farming, you learn it the hard way."

Sen. Jones said signage is addressed in the bill.

Rep. Margaret Ann Ruhl (R-Mt. Vernon) asked if the measure would require and special licensing or training.

Sen. Jones said the bill would require neither, noting most farmers are experts in their field.

The bill is companion legislation to another measure (<u>HB 80</u>) that has already made its way through the House and is now in the upper chamber.

Former U.S. Senator Pushes Lawmakers To Support Convention Of States

Former U.S. Sen. Tom Coburn on Tuesday appeared before a House panel, lobbying lawmakers to get on board with an effort to prompt a constitutional convention to curtail federal government powers.

Mr. Coburn, who spent 16 years as a U.S. representative and then senator for Oklahoma, spoke before the House Government Accountability and Oversight Committee, telling members they have a "moral obligation to stop the bleeding" by forcing the U.S. government to live within its means.

"Future generations of Americans will not enjoy the blessings of liberty that we inherited if we enslave them to a growing debt of this magnitude," he said. "But we must go further than simply balancing our federal budget. We, the people, must impose additional restraints upon career politicians in DC who will never be inclined to restrain their own power."

His testimony came during the third hearing for a joint resolution (HJR 322), which would add Ohio's voice to those of states pushing for a national meeting to update the constitution.

Since leaving Congress in 2015, Mr. Coburn has spent his time supporting the Convention of States Project. The group is attempting to get support from 34 states - the number required by the constitution in order to kick start the convention process.

Among items the group is hoping to see implemented are limits on: Congress's spending power, the president's use of executive orders, and the ability of administrative agencies to issue rules and regulations where Congress has not issued direction. The group also hopes to impose "real checks and balances" on the U.S. Supreme Court.

"We have come far past the point when we could hope that the next election would result in meaningful governmental reform," Mr. Coburn said. "We know that no matter which party controls the presidency, and no

Rep. Jim Buchy (R-Greenville) questioned the goal of establishing term limits, to which Mr. Coburn said such limits would be a discussion point, not necessarily a recommendation.

"I'm saying they should be discussed," Mr. Coburn said, adding that the top priority should be restricting government's scope and jurisdiction.

Rep. Louis Blessing (R-Cincinnati) asked whether term limits would give more power to lobbyists, an idea Mr. Coburn sought to refute.

"I don't think so," Mr. Coburn replied. "I think the American people are pretty smart. Eighty-six percent of people in both parties think we should have term limits."

He added that term limits make for more effective legislators in that it forces lawmakers to learn legislative history and processes.

Rep. Michael Curtin (D-Marble Cliff) expressed concerns at the "cherry picking" of convention topics on the list for discussion. "It's a fairly conservative agenda," he said.

He wondered whether the convention process, as drafted by the framers of the constitution, would disenfranchise voters in less populated states.

"Today one-ninth of all Americans live in the state of California," Rep. Curtin said. "If we have the convention that HJR3 envisions, each state would have the same vote. So North Dakota would have the same vote as California. So it strikes me fundamentally unfair...a state like Wyoming or North Dakota would have the exact same clout (as California) in a nation-changing convention."

In response, Mr. Coburn said a convention would simply make recommendations. The ratification required of the states, he said, would curb disenfranchisement.

"What really matters is do 38 states pass it?" Mr. Coburn said. "If they don't it has no consequence whatsoever."

Responding to a question from Rep. Green, the former senator said GOP Republican candidates are feeding voter frustration on the national debt and other issues.

"It's never going to get fixed in Washington," Mr. Coburn said in his appeal to lawmakers. "You all have to fix it."

Zero-Emission Fuel Cell Bus Makes Ohio Debut

Ohio's first hydrogen-powered, zero-emission bus has arrived.

Dozens gathered on the west lawn of the Statehouse Tuesday to view the vehicle - one of 10 to be purchased by the Stark Area Regional Transit Authority.

Once in place, 10 buses will make the SARTA's hydrogen fleet the third largest in the country, and the largest outside of California, according to officials.

The vehicle works like this: Hydrogen enters the fuel cell and combines with oxygen to produce electricity, which is then stored in an electric battery and used to power the vehicle. The vehicle's only emission is water.

"The water is so clean you can actually drink the water," SARTA CEO and Ohio Public Transit Association Vice President Kirt Conrad said. It's an assertion he and several others immediately demonstrated by downing a few sips of the stuff.

Unlike an electric vehicle, recharging the vehicle takes about three to five minutes, Mr. Conrad said. It's quiet too; The system clocks in at about 60 decibels, the same as that of an average conversation.

"You'll hear the air conditioning is louder than the motor," Mr. Conrad said.

Mr. Conrad said the hydrogen buses cost about \$2 million each - in contrast a compressed natural gas bus ranges around \$600,000, he said - but the hope is with more research and programs like SARTA's the price will come down.

"We think we're going to get this under the target of about \$800,000," he said. "It'll be much more affordable for transit systems and people to buy."

Federal funding bore the brunt of the cost for SARTA's buses. That includes \$8.8 million awarded to SARTA in February 2015 for five buses. More recently, in April, SARTA received an additional \$4 million to bring its bus total up to 10.

Federal Transit Administration Regional Administrator Marisol Simon said the vehicle makes Ohio a "national leader in the use of zero-fuel technology."

Maryn Weimer, senior associate director of the Center for Automotive Research at Ohio State University, which partnered with SARTA on the effort, said the bus will allow the university to enhance its research and engagement efforts.

"This collaboration with industry, academia and government leaders really moves the needle on hydrogen, not only in the Midwest, but moves Ohio State toward becoming a global leader in sustainable practices and research," Ms. Weimer said.

Joe Calabrese, a board member for the Ohio Public Transit Association and general manager of the Cleveland RTA, said that technology is key in providing service and keeping millennials inside Ohio.

But he expressed alarm at the continued funding cuts public transit systems have endured. The state's GRF investment in public transit has dropped from \$43 million in 2002 to \$7.3 million in 2015. (See <u>Gongwer Ohio Report, February 16, 2016</u>)

"We're not only moving forward, unfortunately, but we're moving backward," Mr. Calabrese said.

<u>U.S. Sen. Sherrod Brown</u> (D-Avon) in a statement applauded the bus's debut, saying he'll aim to ensure the newest and most efficient technology is available in Ohio.

"Today's launch will advance Ohio's position as a leader in fuel cell technology and sustainable transit," Sen. Brown said. "These buses will help central Ohioans get to work or school, while helping to reduce emissions and this is another example of OSU's national leadership in transportation innovation."

Governor's Appointment

Underground Technical Committee: Todd D. Willis of Millersport.

Attorney General's Opinion

No. 2016-014. Requested by Putnam County Prosecuting Attorney Gary L. Lammers. SYLLABUS:

A township fire department established by a board of township trustees under R.C. 505.37 for the purpose of providing fire protection services within a township or a township fire district has no authority to purchase a portion of a building to house fire-fighting equipment.

Supplemental Agency Calendar

Wednesday, April 20

Small Business Advisory Council, 77 S. High Street, 31st Floor, Room South A, Columbus, 10 a.m.

Thursday, April 21

Capitol Square Review & Advisory Board, State Room, Statehouse, Columbus, 10 a.m.

Supplemental Event Planner

Wednesday, April 20

Rep. Dan Ramos (D-Lorain) & Sen. Michael Skindell (D-Lakewood) news conference on Supreme Court nominee, Harding Senate Press Room, Statehouse, Columbus, 12 p.m.

Friday, April 29

17th annual induction ceremony for the Ohio Military Hall of Fame for Valor, Statehouse Atrium, Columbus, 11:30 a.m.

17 S. High St., Suite 630 Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

<u>Scott Miller</u>, President | <u>Alan Miller</u>, Vice President | <u>Kent Cahlander</u>, Editor | <u>Melissa Dilley</u>, <u>Mike Livingston</u>, <u>Dustin Ensinger</u>, <u>Jon Reed</u>, Staff Writers

Click the after a bill number to create a saved search and email alert for that bill.

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Sarah LaTourette Kayser < latoursm@gmail.com>

Ohio Report, Wednesday, April 20, 2016

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com> To: sml@sarahlatourette.com

Wed, Apr 20, 2016 at 8:39 PM



Ohio Report for Wednesday, April 20, 2016

Senate Advances Capital Bill, Approves Family Trust Measure

House Passes Bills On Township Laws, Military IDs, Craft Distilleries

Smoking As Viable Delivery Method Discussed, Fears Of Misuse Aired As Review Of Medical Pot Bill Continues

ODE: Overhauled State Testing 'Going Smoothly'

House Panel Delves Into Higher Ed MBR

ODOT Funding Request Set On Fast Track In Senate; Expedited Action Would Save State Money, Advance Four Major Projects

Medical Professionals Support MOLST Legislation While Others Call It A 'Slippery Slope'

Faith Groups Lobby Against Continuance Of Energy Standards Freeze

Amendments To Hit-Skip Bill Continue To Irk Some; Proponents Say They Will Save Lives

Medical Transportation Companies Describe 'Crisis' From Low Medicaid Reimbursement Rates

Supporters Say Bill Increases Access To Cheaper Biological Medicines

Juvenile Offender Parole Bill Gets First Hearing In Senate

Supplemental Event Planner

Senate Committee Hearings

Civil Justice

Ways & Means

Transportation, Commerce & Labor

Health & Human Services

Government Oversight & Reform

Criminal Justice

Medicaid

House Committee Hearings

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Financial Institutions, Housing & Urban Development

Finance

Education

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Select Committee on Medical Marijuana

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